

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
FIRST
EXTRAORDINARY
SESSION OF 1981

**HELD IN THE CITY OF MONTGOMERY,
COMMENCING TUESDAY, AUGUST 4, 1981**



**WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE**

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JOURNAL
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HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
FIRST EXTRAORDINARY SESSION
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FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 4, 1981

Be it remembered that on the 31st day of July, 1981, His Excellency, Fob James, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, Fob James, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 5:00 O'clock P. M., Tuesday, August 4, 1981, and I do hereby designate the following subjects and matters, which I as Governor deemed necessary to be considered and acted upon by said Legislature in extraordinary session assembled:

1. A Constitutional Amendment relating to State Budgets and State Appropriations and providing for the timely transmittal by the Governor to the Legislature of state budgets and the timely passage by the Legislature of bills making the necessary and basic state appropriations.
2. Legislation relating to State Budgets and State Appropriations and providing for the timely transmittal by the Governor to the Legislature of state budgets and the timely passage by the Legislature of bills making the necessary and basic state appropriations.
3. Legislation to make appropriations for the support of public education in the State of Alabama.
4. Local Legislation.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this 31st day of July, 1981.

FOB JAMES,
Governor.

ATTEST:

DON SIEGELMAN
Secretary of State

In pursuance whereof, at the hour of 5 o'clock p.m., on Tuesday, the 4th of August, 1981, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Rev. George O'Brian, Minister, Grace Baptist Temple, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

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A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to advise the House that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

OATH OF OFFICE

The oath of office prescribed by the Constitution of the State of Alabama was then administered by Honorable Joe C. McCorquodale, Speaker of the House of Representatives to John E. Higginbotham, Member of the House of Representatives from District 1.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Rep. Manley:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 2, was adopted.

COMMITTEE APPOINTED

The Speaker appointed as the committee on the part of the House, Reps. Willis, Stewart and Seibels.

Also:

By Rep. Manley:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on Tuesday, August 4, 1981, for the purpose of hearing the message of the Honorable Fob James, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of two from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above, for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 3, was adopted.

COMMITTEE APPOINTED

The Speaker appointed as the committee on the part of the House, Reps. Biddle, Harper (T) and Cosby.

Also:

By Rep. Manley:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn

today, Tuesday, August 4, 1981, they adjourn to meet again on Wednesday, August 5, 1981; when they adjourn on Wednesday, August 5, they adjourn to meet again on Thursday, August 6; and when they adjourn on Thursday, August 6, they adjourn to meet again on Tuesday, August 11, 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 4, was adopted.

Also:

By Rep. Manley:

H. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when the House adjourns today, Tuesday, August 4, 1981, they adjourn to meet again on Wednesday, August 5, 1981, at 4:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 5, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. St. John:

S. J. R. 4. RELATING TO THE PRINTING OF ACTS.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the printed Acts of the First Special Session of 1981 be bound with the printed Acts of any future special sessions of 1981.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 4, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Reps. Penry and McMillan:

H. J. R. 6. COMMENDING MR. HUGH BRANYON, PARK SUPERINTENDENT AT GULF STATE PARK, AND HIS ENTIRE STAFF.

WHEREAS, in the wake of Hurricane Frederic in September 1979, Park Superintendent Hugh Branyon and his staff were faced with the tremendous task of overseeing, coordinating and directing the restoration of Gulf State Park and the State Lodge at Gulf Shores, Alabama; and

WHEREAS, to truly appreciate the enormous difficulties associated with such a responsibility, one has only to imagine the countless problems that had to be first anticipated, planned for and dealt with in order to re-open the park facilities for public use; and

WHEREAS, though the road to recovery was long and arduous, Mr. Branyon and his staff persevered, working diligently for more than one and one-half years, overseeing construction and the eventual re-opening of the Lodge Complex in mid-July 1981; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we note with deep appreciation and in utmost commendation the extraordinary service rendered to the State of Alabama by Superintendent Hugh Branyon and his staff at Gulf State Park, Gulf Shores, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Branyon, on behalf of his entire staff, in token of our warm praise, appreciation and high regard.

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 6, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Manley, Kelley and Clark (G):

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

Judiciary.

By Reps. Manley and Clark (G):

H. 2. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

Judiciary.

By Reps. Manley and Clark (G):

H. 3. To repeal Sections 136 and 137 of the Alabama Business Corporation Act, Act No. 80-633, H. 81, 1980 Regular Session (Acts 1980, p. 1094), appearing as Sections 10-2A-260 and 10-2A-261 in 1980 Replacement Volume 7 of the Code of Alabama 1975, so as to eliminate the requirement of filing annual reports by certain domestic and foreign corporations with the Secretary of State.

Judiciary.

By Rep. Manley:

H. 4. To amend Section 5-19-15 of the Code of Alabama 1975, relating to garnishment, so as to conform to the federal statute.

Judiciary.

By Rep. Manley:

H. 5. To prescribe that all public school systems shall allow official recruiting representatives of the armed or military forces of the United States or of the state reasonable access to their facilities and students for the

purpose of presenting recruiting programs, administering tests, and generally informing students on occupational and educational options.

Judiciary.

By Reps. Sasser and Grimsley (With Notice and Proof):

H. 6. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Registrars of Henry County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 6, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Sasser and Grimsley (With Notice and Proof):

H. 7. Relating to Henry County; providing further for the expense allowance of the members of the county commission.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 7, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Amari and Bennett:

H. 8. To provide that the state agencies, departments, boards or commissions may purchase liability insurance or be the self-insuror of the wrongful acts or omissions committed by their employees, agents, or servants while in the performance of their official duties in the line and scope of their employment; to establish the procedure for notification of the State Attorney General of suits against state employees for acts committed in the line and scope of their performance; and to provide that the charges or costs of such liability insurance or self insurance shall be borne from the general operating funds of the various state agencies, boards, commissions or departments.

Insurance.

By Rep. Ford:

H. 9. To authorize the administration of the Gadsden State Junior College to use any proceeds of bonds issued as authorized by Act No. 138, S. 1, Second Special Session 1978 (Acts 1978, p. 1875), for the purpose of payment or retirement of any outstanding legal indebtedness.

Education.

By Reps. Pegues, Cosby and Edwards:

H. 10. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses.

Ways and Means.

By Reps. Stout and Rains (With Notice and Proof):

H. 11. Relating to DeKalb County; to provide further for the pay of each deputy sheriff who is engaged in hazardous duties.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 11, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Stout (With Notice and Proof):

H. 12. Relating to the City of Fort Payne, DeKalb County, Alabama; providing further for additional compensation for certain enforcement of state laws to certain municipal police officers for hazardous duty pay; excluding certain police officers who perform administrative or ministerial functions; providing that such compensation be paid from the municipality in the same manner as other compensation is paid to police officers.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 12, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Roberts and Carter:

H. 13. Proposing an amendment to the Constitution of Alabama relating to the prohibition of legal action by employees covered under workmen's compensation laws against co-employees; and defining co-employees.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Rep. Minus (With Notice and Proof):

H. 14. To amend Act No. 81-229, 1981 Regular Session, entitled, "Relating to Sumter County, levying a fee on all hazardous and non hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violations," so as to provide further for the fees and disbursement thereof on private enterprises which make a profit burying or storing hazardous waste.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 14, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Minus (With Notice and Proof):

H. 15. Relating to Choctaw County; to provide an additional expense allowance for members of the county commission.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 15, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Biddle:

H. 16. Prohibiting any public water supply system, supplying ten or more municipalities, and operating from the site of its principal place of business in one county from charging customers in one municipality, or in any unincorporated area within any county at a higher rate for water or for maintenance and use of fire plugs than customers in any other municipality or unincorporated area within the county of its principal place of business.

State Administration.

By Rep. Biddle:

H. 17. To amend Section 36-22-62 of the Code of Alabama, 1975, to provide for cost of living increases in the compensation of Supernumerary Sheriffs of the several counties within this State.

Ways and Means.

By Rep. Biddle:

H. 18. To create the Wildlife Heritage Committee and prescribe its powers and duties.

State Administration.

By Rep. Cheatwood (With Notice and Proof):

H. 19. To alter or rearrange the boundary lines of the Town of Nectar, Blount County, Alabama, so as to include therein and within the corporate limits of said Town territory not already included therein.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 19, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Drinkard, Owens, Peques, Sasser, Cates and Reed:

H. 20. To propose a constitutional amendment creating a reserve fund to be administered by the state treasurer under the direction of a select committee.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Rep. Smith (J):

H. 21. To provide further for the design of tags of vehicles of disabled veterans.

Ways and Means.

By Rep. Smith (J):

H. 22. To provide further for estates and the rights of spouses therein; to provide further for descent and distribution in the cases of intestacy; to amend Sections 43-3-1, as amended, and 43-3-10, Code of Alabama 1975, which provide for the descent and distribution of real estate and personalty, respectively, of an intestate, so as to provide further therefor; to repeal Section 43-3-12, Code of Alabama 1975, which relates to the husband's distributive share of his wife's estate.

Judiciary.

By Rep. Edwards:

H. 23. To confer the power to grant franchises upon the County Commission of the several counties in this state in relation to the operation of community antenna television facilities; to empower the said County Commissions to set up reasonable rules and regulations governing the exercise of rights granted by the said franchises; to authorize and empower the said County Commissions to levy a license tax and fix the amount of said tax on the business performed under said franchise.

Local Government.

By Rep. Campbell:

H. 24. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Judiciary.

By Rep. McKee:

H. 25. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

Ways and Means.

By Reps. McKee and Wyatt:

H. 26. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Ways and Means.

By Rep. McKee:

H. 27. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals

to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

Ways and Means.

By Reps. Bennett, Amari, Waggoner, Gafford, Biddle, Howard, Olive, Cheatwood, Lewis and Cabaniss (With Notice and Proof):

H. 28. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 28, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Bennett, Amari, Waggoner, Gafford, Biddle, Howard, Olive, Cheatwood, Lewis and Cabaniss (With Notice and Proof):

H. 29. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 29, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Bennett, Amari, Waggoner, Gafford, Biddle, Howard, Olive, Lewis and Cabaniss (With Notice and Proof):

H. 30. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 30, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Bennett, Amara, Waggoner, Gafford, Biddle, Howard, Olive, Cheatwood, Lewis and Cabaniss (With Notice and Proof):

H. 31. To further amend Section 8 of Act No. 497 of the Regular Session of the legislature of Alabama of 1965, establishing a pension system

for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 31, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Owens:

H. 32. To make a supplemental appropriation for salaries and other expenses for the use of the Legislature, for the fiscal year ending September 30, 1981, from the Special Education Trust Fund.

Ways and Means.

By Rep. Owens:

H. 33. To amend Section 36-26-5, Code of Alabama 1975, relating to the state personnel board, so as to change the composition of said board.

Ways and Means.

By Rep. Owens:

H. 34. To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury.

Ways and Means.

By Reps Turnham, Ward and Whatley (With Notice and Proof):

H. 35. To authorize the governing body of Lee County, Alabama, to levy and collect special county privilege and license taxes, generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes generally paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body, and for the enforcement of this act by the State Department of Revenue; to specify the maximum duration for which any such taxes may be levied; to prescribe penalties and fix punishment for violations of this act; and to provide for the expiration of those taxes levied and imposed under authority of Act No. 81-553 which is to be repealed concurrently with the effective date of any levy of taxes authorized in this act.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 35, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Dixon and Boles:

H. 36. To amend Act No. 81-699, H. 464, 1981 Regular Session, which provides for the issuance of distinctive license plates to the recipients of the

Medal of Honor or Prisoners of War, so as to provide further for the issuance of said plates.

Ways and Means.

By Rep. Moore (With Notice and Proof):

H. 37. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster in Shelby County, Alabama, so as to incorporate certain territory as described herein; to provide for rezoning of such annexed property only upon petition of the land-owner; and to provide for equality of ad valorem taxes.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 37, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps Willis:

H. 38. Proposing an amendment to the Constitution prescribing the manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Rep. Moore (With Notice and Proof):

H. 39. To alter, rearrange and extend the boundry lines and corporate limits of the municipality of Leeds, in Jefferson County.

Local Government.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 39, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. McMillan, Harper (T), Penry, Bedsole, Turner and Parker:

H. 40. To appropriate \$250,000.00 from the state general fund to the state oil and gas board for the fiscal year ending September 30, 1982 for the general operations of the board.

Ways and Means.

By Rep. Smith (C):

H. 41. Proposing an amendment to the Constitution prescribing the manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Rep. Smith (C) (With Notice and Proof):

H. 42. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Thorsby in Chilton County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 42, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Sanducky (With Notice and Proof):

H. 43. To further provide for the administration of absentee voting in Mobile County, except during municipal elections.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 43, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Kelley:

H. 44. To amend further Section 40-12-414 and Section 40-12-421, Code of Alabama 1975, which regulates and licenses automotive dismantlers and parts recyclers, so as to provide further for said regulation and licensing.

State administration.

By Rep. Kelley (With Notice and Proof):

H. 45. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said Jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act N. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the Appropriate municipalities therein.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 45, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Kelley and Rains (With Notice and Proof):

H. 46. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes

which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 46, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Whatley:

H. 47. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

Agriculture and Forestry.

By Rep. Whatley:

H. 48. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Agriculture and Forestry.

By Rep. Whatley:

H. 49. To amend Section 7 of Act No. 80-586 (Acts of 1980, p. 913; now appearing in the 1980 Cumulative Supplement to the 1975 Code of Alabama as Section 2-3A-7), enacted at the 1980 Regular Session of the Legislature of Alabama providing for the incorporation of the Alabama Agricultural Development Authority to authorize the Authority to invest its funds in additional kinds of investments.

Agriculture and Forestry.

By Rep. Owens (With Notice and Proof):

H. 50. Relating to Tuscaloosa County; providing an additional expense allowance for the sheriff and an expiration date therefor; and providing further for the sheriff's compensation in the next term of office for sheriff.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 50, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Bennett, Lewis and Cabaniss (With Notice and Proof):

H. 51. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969,

under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 51, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Gafford, Biddle, Trammell, Olive, Howard, Horn, Moore, Cabaniss and Bennett (With Notice and Proof):

H. 52. To establish the salaries for the following officers of Jefferson County, Alabama: The President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide that the salaries as fixed by this Act shall take effect at the beginning of the next terms of office of said officers and the beginning of each term of office of said officers hereafter.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 52, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Howard, Boles and Lewis (With Notice and Proof):

H. 53. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 53, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Howard and Lewis (With Notice and Proof):

H. 54. To increase from fifty dollars per month to two hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 54, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Hammett:

H. 55. To amend Section 27-2-31 Code of Alabama 1975 extending the immunity from civil liability of the Commissioner of Insurance for negligent acts on his part in performing his required and discretionary duties.

Insurance.

By Reps. Hammett, Holley and Daniels (With Notice and Proof):

H. 56. To authorize the Covington County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; to prescribe the procedure for levying and collecting such assessments; and to provide certain exceptions thereto.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 56, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Sandusky:

H. 57. To amend Section 12-17-110, Code of Alabama, 1975, providing for the appointment and removal of circuit court registers, and providing compensation of registers.

Ways and Means.

By Reps. Ray, McKee, Edwards and Seibels:

H. 58. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Local Government.

By Reps. Bedsole, Harper (T) and Stewart (With Notice and Proof):

H. 59. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 59, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Bedsole:

H. 60. To provide for the recovery by the State of Alabama of interest in connection with excess payments made to health care providers under the State Medicaid program and to set a date for limitation of actions.

Health.

By Reps. Bedsole, McMillan, Penry and Harper (T):

H. 61. To provide that the local school boards shall be allowed to establish a damage deposit for textbooks distributed pursuant to Title 16, Chapter 36 of the Code of Alabama 1975; to provide for the amount of such damage deposit; to require receipt for such damage deposit; and to provide for the liability for such deposit.

Education.

By Rep. Gafford:

H. 62. To require legislative approval for certain actions regarding state government; to provide further for the state merit system; to provide further for the adoption or redefinitions of classifications of state employees; to prohibit actions resulting in declassification or reclassification or non-voluntary transfers between state agencies or other political subdivisions of the state without legislative action in the form of act or resolution; to provide further for state agencies, departments, bureaus, councils, boards, commissions or like governmental units, so as to require legislative action for any merger or abolition of same; and to provide that the provisions of this act shall become null and void on January 18, 1983.

Banking.

By Reps. Wyatt, Amari, Holley, Mitchell, Holmes, Ray, Cheatwood, Goodwin, Howard, Harper (O), Brakefield, Turner, Blake, Harper (T), Smith (C), Kelley, Reed, Warren, Horn, Trammell, Moore, Cobb, Willis, Barton, Drinkard, Smith (M), Adams (C), Dixon, Cosby, Williams, Grimsley, Whatley, Carothers, Edwards, Albright, Letson, Johnson (Roy), Hall, Rains, Bowling, Escott, Nevett, Biddle, Waggoner, Starkey, Boles, Buskey, Gilmer, Crow, Cooley, Turnham, Langford, Venable, Daniels, Gafford, Carter, Shavers, Stewart and Hines:

H. 63. To provide longevity pay for certain employees in the classified service of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

Ways and Means.

By Reps. Carter, Sasser, Ray, Laird, Starkey, Higginbotham, Letson, Grimsley, Cates and Smith (M):

H. 64. To amend Act No. 81-868, S. 238, Regular Session 1981, which provides for the granting, under certain circumstances, of either overtime pay or compensatory leave to certain local law enforcement officers, so as to further provide for certain limitations on such overtime pay or compensatory leave and to provide a definition for the term law enforcement officer.

Local Government.

By Rep. Amari:

H. 65. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

Judiciary.

By Rep. Venable (With Notice and Proof):

H. 66. To authorize the Elmore County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 66, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Venable:

H. 67. To amend Section 17-9-33, Code of Alabama 1975, which provides for the canvassing of votes and the proclamation of election results, so as to allow non-carbonized paper to be used on the statements of canvass.

Constitution and Elections.

By Rep. Venable:

H. 68. To amend Code of Ala. 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomination, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

Constitution and Elections.

By Reps. Amari and Bennett:

H. 69. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

Education.

By Reps. Boles, Trammell, Lewis, Olive, Payne, Seibels and Gafford:

H. 70. To provide certain methods by which a chief of police may be selected in any Class 1, 2, 3, 4, 5 or 6 municipality within the state.

Local Government.

By Rep. Turner (With Notice and Proof):

H. 71. To alter or rearrange the boundary lines of the Town of Creola, Mobile County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 71, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Turner:

H. 72. To provide for the granting of up to two (2) years creditable service under the Teachers' Retirement System for employment service in private education; to provide for the methods and procedures in private education; to provide for the methods and procedures to calculate the members' contributions required to purchase such credit and conditions for eligibility; and to provide that the members shall pay the total cost for such credit.

Ways and Means.

By Rep. Grouby (With Notice and Proof):

H. 73. Relating to law enforcement in Autauga County; to amend Act No. 871, H. 1200 of the Regular Session, 1969 (Acts 1969, p. 1580) as heretofore amended, an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 73, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Grouby and Edwards (With Notice and Proof):

H. 74. Relating to Lowndes County; amending Section 1 of Act No. 80-319, S. 543 of the 1980 Regular Session (Acts 1980, p. 439), relating to clerical assistants for the tax assessor and tax collector of such county, so as to further provide that the Lowndes County Commission may appoint for each such official one additional full-time assistant and set the compensation payable for all clerical assistants to such officials, and making the provisions retroactive.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 74, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Gafford:

H. 75. To amend Section 36-25-6, Code of Alabama 1975, which relates to public officials receiving gifts, favors or things of value, so as to provide that no person shall make or give any campaign contribution to any elected public official except during the 90 day period immediately preceding an election at which the elected public official is seeking re-election.

Judiciary.

By Reps. Clark (G), Dixon, Smith (J), Holley, Minus, Stout, Warren, Daniels, Johnson (Roy), Cabaniss, Patton, Smith (C), Turner, Campbell, Cates, Whatley, Bennett, Parker and Reed:

H. 76. To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1983, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by four-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Rep. Owens:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

Ways and Means.

By Rep. Owens:

H. 78. Providing for a decrease in the 1980-1981 appropriation to the teachers' retirement system; appropriating this amount as a portion of the state funding to the teachers' retirement system for the 1981-1982 fiscal year, in addition to all other sums hereinafter appropriated therefor for such 1981-1982 fiscal year.

Ways and Means.

By Rep. Owens:

H. 79. To provide that beginning with the 1981-82 school year driver education shall not be a requirement for graduation; to provide that county and city boards of education may offer driver education subject to such rules and regulations as the state board of education may adopt; and to repeal Section 16-40-5 of the Code of Alabama 1975, relating to driver education requirements and conflicting laws.

Ways and Means.

By Reps. Gafford, Sasser, Harper (T), Minus, Carter, Barton, Williams, Smith (M), Payne, Bowling, Biddle, Moore, Albright, Johnson (R. G.), Shoemaker, Dial, Naramore, Johnson (Roy), Turnham, Lewis, Gilmer, Wyatt, Holmes, Carothers, Ray, Grimsley, Reed, Mitchell, Edwards, Boles, Olive, Trammell, Hines, Seibels, Waggoner, Howard, Smith (C), Coburn, Letson, Shavers, Hall, Harper (O) and Hammett:

H. 80. Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

RESOLUTION

The following resolution was introduced:

By Rep. Holmes:

H. R. 7. WELCOMING MR. VINCE SANDERS.

WHEREAS, the Alabama House of Representatives is happy to welcome Mr. Vince Sanders to Alabama; and

WHEREAS, this body is pleased to have such an outstanding journalist as Mr. Sanders visit our state; and

WHEREAS, Vince Sanders is Vice-President of News and Operations for the National Black Network; and

WHEREAS, Mr. Sanders has served as Executive Producer of all the Network's regular programming as well as the Republican and Democratic National Conventions and the Montreal Olympic Games; and

WHEREAS, our guest has achieved much success as a broadcast journalist for NBC News, as producer and narrator of an award winning documentary and as the supervisor for the National Black Network News and Sports Divisions; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That this body wishes to welcome Mr. Vince Sanders to our state and wishes to commend him for his outstanding achievements in the field of broadcast journalism.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Sanders so that he may know of our interest.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. R. 7, was adopted.

LEAVES OF ABSENCE

At the request of Rep. Holmes, leave of absence was granted for Rep. Langford.

At the request of Rep. McCorquodale, leave of absence was granted for Reps. Zoghby and Sandusky.

At the request of Rep. Jackson, leave of absence was granted for Rep. Tucker.

At the request of Rep. Drinkard, leave of absence was granted for Rep. Ford, due to illness.

RESOLUTIONS

By Rep. Johnson (Roy):

H. J. R. 8. HONORING THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL AND DESIGNATING THE WEEK OF AUGUST 3RD "ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL WEEK."

WHEREAS, the Legislature of Alabama notes with great pride the invaluable service rendered to the people of this State by the Alabama Association of School Office Personnel; and

WHEREAS, this outstanding organization, created in 1948, has consistently dedicated itself to the furtherance of quality education; and

WHEREAS, the Association's membership includes secretaries, book-keepers, office personnel on both the local and state levels and employees of junior colleges and technical schools—all of whom assist in a smoothly executed educational system in this State; and

WHEREAS, the Alabama Association of School Office Personnel is having its 33rd Annual Meeting this week in Montgomery; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate The Alabama Association of School Office Personnel for their performance in serving the citizens of Alabama and do hereby proclaim the week of August 3rd "Alabama Association of School Office Personnel Week" to honor the Association.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Association that they may know of our high esteem and deep appreciation.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. J. R. 8, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Johnson (Roy):

H. R. 9. HONORING THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL AND DESIGNATING THE WEEK OF AUGUST 3RD "ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL WEEK."

Also:

The following resolutions were introduced:

By Rep. Dixon:

H. J. R. 10. COMMENDING MR. TAYLOR J. PAYNE UPON HIS RETIREMENT AS EDUCATION SPECIALIST WITH THE ALABAMA STATE DEPARTMENT OF EDUCATION.

WHEREAS, it is with deep gratitude and in utmost commendation that the Alabama Legislature notes the extraordinary service rendered to the State of Alabama by Mr. Taylor J. Payne of Montgomery; and

WHEREAS, Mr. Payne's retirement on July 31, 1981, brought to a close an illustrious career in the field of education which spanned a period of more than three decades; and

WHEREAS, a native of Greensboro, Hale County, Alabama, and a graduate of Greensboro High School, Mr. Payne earned his B. S. and M. A. Degrees from the University of Alabama and an Education Specialist Diploma from Auburn University at Montgomery; and

WHEREAS, Mr. Payne served in the public schools of Montgomery, as a teacher and as principal, from 1950 until 1970 at which time he joined the Alabama State Department of Education; serving until his retirement as Education Specialist; he also served in capacities as Drug Education Specialist, Certification Officer, Assistant Coordinator of Departmental Teams and as Education Specialist in General Administration and Accreditation as well as in Compensatory Programs of ESEA, Title I; and

WHEREAS, professionally affiliated with Phi Delta Kappa Education Honorary, the Association for Supervision and Curriculum Development and both the Alabama and National Education Associations, Mr. Payne is further professionally qualified through attendance of seminars, work with DSDI, and through service on Southern Association and State Accreditation teams, teacher education program evaluation teams and on evaluation teams to schools with grades one through twelve; and

WHEREAS, Mr. Payne, who is a veteran of World War II with three years service in the United States Army Air Corps, is a longtime member of Saint James Methodist Church in Montgomery; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Taylor J. Payne on his long and prestigious career as one of our state's most prominent educators; we further wish him well in all future endeavors and direct that he receive a copy of this resolution, tendered in gratitude and in token of our high regard.

On motion of Rep. Dixon, the rules were suspended and the resolution, H. J. R. 10, was adopted.

Also:

By Reps. Holmes, Jackson, Reed, Escott and Kennedy:

H. J. R. 11. HONORING DR. LEVI WATKINS UPON HIS RETIREMENT.

WHEREAS, Dr. Levi Watkins, who has worked diligently and effectively in the field of education in Alabama for over thirty years, is widely recognized and respected within this field; and

WHEREAS, Dr. Watkins has served as president of Alabama State University since 1962 and under his administration the institution has attained regional accreditation, been upgraded to university status and its accreditation reaffirmed, attained national accreditation for two of its three professional colleges, experienced growth in physical plant size from 52 to 81 acres and in value from approximately \$10 million to an estimated \$33 million, attained a separate board of trustees, increased the number of national honor and professional societies on its campus from 2 to 18, and seen its prestige recognized nationally; and

WHEREAS, Dr. Watkins has been appointed by Governors of Alabama to serve on numerous state commissions, committees and task forces, including the 1969 Alabama Education Study Commission, and been elected to executive posts in numerous educational organizations in the state, including that of president of the Alabama Association of College Administrators; and

WHEREAS, Dr. Watkins has served on numerous national committees and boards, including the Secretary of the Navy's Advisory Board on Education and Training, and numerous municipal bodies, including the Industrial Development Board of the City of Montgomery and numerous civic and religious organizations; and

WHEREAS, this body is sincerely and deeply appreciative of the interest and energy exhibited by this great educator on behalf of Alabama State University and the people of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we recognize Dr. Watkins' numerous accomplishments and contributions, and wish him well upon his retirement from Alabama State University.

RESOLVED FURTHER, That a copy of this resolution be sent to Dr. Watkins.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. J. R. 11, was adopted.

Also:

By Rep. Holmes:

H. J. R. 12. COMMENDING U. S. DISTRICT JUDGE ROBERT VARNER.

WHEREAS, U. S. District Judge Robert Varner has put forth tremendous efforts to eliminate many problems in our penal system; and

WHEREAS, Judge Varner has served with distinction for many years in the Middle District of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Judge Robert Varner for his efforts and foresight relating to the prison system of Alabama.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Holmes offered the motion to suspend the rules and adopt the resolution, H. J. R. 12.

DIVISION OF THE QUESTION

Rep. Biddle called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Holmes to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 12, and the motion was lost.

The resolution, H. J. R. 12, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 4. SETTING MEETING DATES OF THE LEGISLATURE.

Also:

H. J. R. 2. APPOINTING COMMITTEE TO NOTIFY THE GOVERNOR THAT THE LEGISLATURE IS IN SESSION.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. St. John and Keener.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. St. John:

S. J. R. 3. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF THE LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 P. M. on August 4, 1981, for the purpose of hearing the message of the Honorable Fob James, Governor of Alabama.

AND BE IT FURTHER RESOLVED That a Committee of three from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. McDonald, Denton, and Pearson.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 3, set out in the above and foregoing Message from the Senate.

RECESS

On motion of Rep. Manley, the House recessed until 7:00 o'clock p. m., in order to hear an address by the Governor of the State of Alabama in a Joint Session.

JOINT SESSION

The hour of 6:00 o'clock p. m. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in Joint Session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 3 heretofore adopted, for the purpose of hearing an address by the Honorable Fob James, Governor of the State of Alabama.

The Joint Session was called to order by the Honorable George D. H. McMillan, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, Fob James, Governor of the State of Alabama, appeared before the Joint Session and delivered his address to the members of the Alabama Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

HOUSE RECONVENED

The hour of 7:00 o'clock p. m. having arrived, the House reconvened, The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Reps. Harper (T), McMillan, Parker, Turner, Bedsole, Buskey and Stewart:

H. J. R. 13. COMMENDING DR. DAVID TIFFANY.

WHEREAS, on August 1, 1981, Dr. David Tiffany resigned from his duties as Director of Institutional Research at the University of South Alabama; and

WHEREAS, he represented the University of South Alabama before the Alabama Legislature with outstanding ability and knowledge; and

WHEREAS, he provided many Legislative services to the Mobile County Delegation, both officially and especially as a good friend; and

WHEREAS, his expertise will sorely be missed by the Mobile County Delegation and the University of South Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish our good friend good luck and much success in his new position.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. David Tiffany that he may know of our high esteem for the many services he has provided.

On motion of Rep. Harper (T), the rules were suspended and the resolution, H. J. R. 13, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 2. Relative to appointing a legislative committee to notify the Governor that the legislature is now in session.

Also:

H. J. R. 4. Relative to legislative meeting dates from August 5, 1981, through August 11, 1981.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Rep. Gafford:

H. R. 14. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 75 OF THE 1981 SPECIAL SESSION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending H. B. 75 of the 1981 Special Session, copies of which are attached to this resolution and made a part hereof by reference:

1. Does Section 1 of H. B. 75 violate the constitutionally protected right to equal protection and equal treatment under the law? (I. e., this bill will deprive candidates for re-election certain rights and privileges held by first-time candidates for the same office.)

2. Does the limitation on the right to make campaign contributions abridge a citizen's right to freedom of expression under Section 4 of the

Alabama Constitution and the First Amendment to the U. S. Constitution?
(See Buckley vs. Valeo, 424 U. S. 1, 96 S. Ct. 612)

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send sufficient true copies of the pending H. B. 75 to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this resolution.

On motion of Rep. Gafford, the rules were suspended and the resolution, H. R. 14, was adopted.

ADJOURNMENT

On motion of Rep. Johnson (Roy) and pursuant to the resolution, H. R. 5, heretofore adopted, the House adjourned until 4:00 o'clock p. m., Wednesday, August 5, 1981.

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 5, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Mr. Paul Tarence, Minister, Hunter Station Church of Christ, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson Johnson (R. G.), Johnson Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—100

A quorum was, present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

JACK BIDDLE,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

LEAVES OF ABSENCE

At the request of Rep. Holmes, leave of absence was granted for Rep. Langford.

At the request of Rep. Jackson, Leave of absence was granted for Rep. Tucker.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 8. HONORING THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL AND DESIGNATING THE WEEK OF AUGUST 3RD "ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL WEEK."

Also:

H. J. R. 10. COMMENDING MR. TAYLOR J. PAYNE UPON HIS RETIREMENT AS EDUCATION SPECIALIST WITH THE ALABAMA STATE DEPARTMENT OF EDUCATION.

Also:

H. J. R. 11. HONORING DR. LEVI WATKINS UPON HIS RETIREMENT.

Also:

H. J. R. 6. COMMENDING MR. HIGH BRANYON, PARK SUPERINTENDENT AT GULF STATE PARK, AND HIS ENTIRE STAFF.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 15. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when the House adjourns on Wednesday, August 5, 1981, they adjourn to meet again on Thursday, August 6, 1981, at 10:00 A.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 15, was adopted.

BILLS ON SECOND READING

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 77. (With Amendments): To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to wit:

H. 78. Providing for a decrease in the 1980-1981 appropriation to the teachers' retirement system; appropriating this amount as a portion of the state funding to the teachers' retirement system for the 1981-1982 fiscal year, in addition to all other sums hereinafter appropriated therefor for such 1981-1982 fiscal year.

H. 79. To provide that beginning with the 1981-82 school year driver education shall not be a requirement for graduation; to provide that county and city boards of education may offer driver education subject to such rules and regulations as the state board of education may adopt; and to repeal Section 16-40-5 of the Code of Alabama 1975, relating to driver education requirements and conflicting laws.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 76. (With Amendment): To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1983, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by four-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of

the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

The above bill was read a second time at length as required by the Constitution.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 80. (With Substitute): Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

The above bill was read a second time at length as required by the Constitution.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 38. (With Amendment): Proposing an amendment to the Constitution prescribing the manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

- The above bill was read a second time at length as required by the Constitution.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 41. Proposing an amendment to the Constitution prescribing the manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

The above bill was read a second time at length as required by the Constitution.

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

H. 2. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

H. 3. To repeal Sections 136 and 137 of the Alabama Business Corporation Act, Act No. 80-633, H. 81, 1980 Regular Session (Acts 1980, p. 1094), appearing as Sections 10-2A-260 and 10-2A-261 in 1980 Replacement Volume 7 of the Code of Alabama 1975, so as to eliminate the requirement of filing annual reports by certain domestic and foreign corporations with the Secretary of State.

H. 24. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

H. 65. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

H. 4. To amend Section 5-19-15 of the Code of Alabama 1975, relating to garnishment, so as to conform to the federal statute.

H. 5. To prescribe that all public school systems shall allow official recruiting representatives of the armed or military forces of the United States or of the state reasonable access to their facilities and students for the purpose of presenting recruiting programs, administering tests, and generally informing students on occupational and educational options.

H. 22. To provide further for estates and the rights of spouses therein; to provide further for descent and distribution in the cases of intestacy; to amend Sections 43-3-1, as amended, and 43-3-10, Code of Alabama 1975, which provide for the descent and distribution of real estate and personalty, respectively; of an intestate, so as to provide further therefor; to repeal Section 43-3-12, Code of Alabama 1975, which relates to the husband's distributive share of his wife's estate.

H. 75. To amend Section 36-25-6, Code of Alabama 1975, which relates to public officials receiving gifts, favors or things of value, so as to provide that no person shall make or give any campaign contribution to any elected public official except during the 90 day period immediately preceding an election at which the elected public official is seeking re-election.

Rep. Kelley, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 16. Prohibiting any public water supply system, supplying ten or more municipalities, and operating from the site of its principal place of business in one county from charging customers in one municipality, or in any unincorporated area within any county at a higher rate for water or for maintenance and use of fire plugs than customers in any other municipality or unincorporated area within the county of its principal place of business.

H. 18. To create the Wildlife Heritage Committee and prescribe its powers and duties.

H. 44. To amend further Section 40-12-414 and Section 40-12-421, Code of Alabama 1975, which regulates and licenses automotive dismantlers and parts recyclers, so as to provide further for said regulation and licensing.

Rep. Gafford, Chairman of the Standing Committee Banking, reported that said Committee in session had acted on the following bill and ordered

same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 62. To require legislative approval for certain actions regarding state government; to provide further for the state merit system; to provide further for the adoption or redefinitions of classifications of state employees; to prohibit actions resulting in declassification or reclassification or non-voluntary transfers between state agencies or other political subdivisions of the state without legislative action in the form of act or resolution; to provide further for state agencies, departments, bureaus, councils, boards, commissions or like governmental units, so as to require legislative action for any merger or abolition of same; and to provide that the provisions of this act shall become null and void on January 18, 1983.

Rep. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 9. To authorize the administration of the Gadsden State Junior College to use any proceeds of bonds issued as authorized by Act No. 138, S. 1, Second Special Session 1978 (Acts 1978, p. 1875), for the purpose of payment or retirement of any outstanding legal indebtedness.

Rep. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 69. (With Amendments): To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

H. 61. (With Amendments): To provide that the local school boards shall be allowed to establish a damage deposit for textbooks distributed pursuant to Title 16, Chapter 36 of the Code of Alabama 1975; to provide for the amount of such damage deposit; to require receipt for such damage deposit; and to provide for the liability for such deposit.

Rep. Whatley, Chairman of the Standing Committee on Agriculture and Forestry, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 49. To amend Section 7 of Act No. 80-586 (Acts of 1980, p. 913; now appearing in the 1980 Cumulative Supplement to the 1975 Code of Alabama as Section 2-3A-7), enacted at the 1980 Regular Session of the Legislature of Alabama providing for the incorporation of the Alabama Agricultural Development Authority to authorize the Authority to invest its funds in additional kinds of investments.

H. 47. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

H. 48. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Rep. Venable, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 67. To amend Section 17-9-33, Code of Alabama 1975, which provides for the canvassing of votes and the proclamation of election results, so as to allow non-carbonized paper to be used on the statements of canvass.

H. 68. To amend Code of Ala. 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomination, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 39. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Leeds, in Jefferson County.

Mr. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 23. (With Substitute): To confer the power to grant franchises upon the County Commissions of the several counties in this state in relation to the operation of community antenna television facilities; to empower the said County Commissions to set up reasonable rules and regulations governing the exercise of rights granted by the said franchises; to authorize and empower the said County Commissions to levy a license tax and fix the amount of said tax on the business performed under said franchise.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 58. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

H. 64. To amend Act No. 81-868, S. 238, Regular Session 1981, which provides for the granting, under certain circumstances, of either overtime pay or compensatory leave to certain local law enforcement officers, so as to further provide for certain limitations on such overtime pay or compensatory leave and to provide a definition for the term law enforcement officer.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 70. (With Amendments): To provide certain methods by which a chief of police may be selected in any Class 1, 2, 3, 4, 5 or 6 municipality within the state.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 6. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Registrars of Henry County.

H. 7. Relating to Henry County; providing further for the expense allowance of the members of the county commission.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 11. (With Amendment): Relating to DeKalb County; to provide further for the pay of each deputy sheriff who is engaged in hazardous duties.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 12. Relating to the City of Fort Payne, DeKalb County, Alabama; providing further for additional compensation for certain enforcement of state laws to certain municipal police officers for hazardous duty pay; excluding certain police officers who perform administrative or ministerial functions; providing that such compensation be paid from the municipality in the same manner as other compensation is paid to police officers.

H. 14. To amend Act No. 81-229, 1981 Regular Session, entitled, "Relating to Sumter County, levying a fee on all hazardous and non hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violations," so as to provide further for the fees and disbursement thereof on private enterprises which make a profit burying or storing hazardous waste.

H. 15. Relating to Choctaw County; to provide an additional expense allowance for members of the county commission.

H. 35. To authorize the governing body of Lee County, Alabama, to levy and collect special county privilege and license taxes, generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes generally paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body, and for the enforcement of this act by the State Department of Revenue; to specify the maximum duration for which any such taxes may be levied; to prescribe penalties and fix punishment for violations of this act; and to provide for the expiration of those taxes levied

and imposed under authority of Act No. 81-553 which is to be repealed concurrently with the effective date of any levy of taxes authorized in this act.

H. 42. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Thorsby in Chilton County.

H. 56. To authorize the Covington County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; to prescribe the procedure for levying and collecting such assessments; and to provide certain exceptions thereto.

H. 66. To authorize the Elmore County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

H. 73. Relating to law enforcement in Autauga County; to amend Act No. 871, H. 1200 of the Regular Session, 1969 (Acts 1969, p. 1580) as heretofore amended, an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

H. 74. Relating to Lowndes County; amending Section 1 of Act No. 80-319, S. 543 of the 1980 Regular Session (Acts 1980, p. 439), relating to clerical assistants for the tax assessor and tax collector of such county, so as to further provide that the Lowndes County Commission may appoint for each such official one additional full-time assistant and set the compensation payable for all clerical assistants to such officials, and making the provisions retroactive.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 10. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses.

H. 27. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

H. 33. To amend Section 36-26-5, Code of Alabama 1975, relating to the state personnel board, so as to change the composition of said board.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 26. (With Amendment): Relating to the state merit system: to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 21. To provide further for the design of tags of vehicles of disabled veterans.

H. 40. To appropriate \$250,000.00 from the state general fund to the state oil and gas board for the fiscal year ending September 30, 1982 for the general operations of the board.

H. 32. To make a supplemental appropriation for salaries and other expenses for the use of the Legislature, for the fiscal year ending September 30, 1981, from the Special Education Trust Fund.

H. 34. To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 50. Relating to Tuscaloosa County; providing an additional expense allowance for the sheriff and an expiration date therefor; and providing further for the sheriff's compensation in the next term of office for sheriff.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Biddle:

H. J. R. 16. BUDGET MANAGEMENT ACT LEGISLATIVE REVIEW COMMITTEE CREATED.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a continuing interim Budget Management Act Legislative Review Committee. Said committee shall monitor state government to insure that the Budget Management Act (Act 494, 1976 Regular Session, Section 41-19-1 through 41-19-12, Code of Alabama 1975) is complied with and observed. Said committee shall also make recommendations to the Legislature regrading improving the operation of the Budget Management Act. The study committee shall work with the Governor's Office, the Legislative Fiscal Office, and with all department heads who shall cooperate with the committee.

The membership of said committee shall be the same members as those on the committee created to study the tax structure of the state, as found in Act 1178, H. J. R. 430, 1975 Regular Session, and Act 79-752, H. J. R. 250, 1979 Regular Session.

The study committee shall have the authority to employ secretarial assistance and research assistance. The members of the committee shall receive the same pay, per diem and travel expenses that is received when the legislature is in session. The committee shall report their findings, recommendations, and suggested legislation to the legislature by the tenth legislative day of the 1982 Regular Session. The study committee shall be funded from monies appropriated to the use of the legislature for such purposes.

The resolution, H. J. R. 16, was read and referred to the Standing Committee on Rules.

Also:

By Rep. Bennett:

H. J. R. 17. COMMENDING HELEN TILLEY AS MISS WHEELCHAIR ALABAMA 1981.

WHEREAS, Helen Tilley of Homewood was crowned Miss Wheelchair Alabama in Huntsville on January 13, 1981; and

WHEREAS, the eighth annual pageant was sponsored by the Alabama Rehabilitation Association, the Alabama Pilot Clubs, the Alabama Governor's Committee on Employment of the Handicapped, Lakeshore Hospital and the Women's Committee of Spain Rehabilitation Center; and

WHEREAS, Miss Tilley will represent Alabama at the National Miss Wheelchair America Pageant in Columbus, Ohio, December 16, 1981; and

WHEREAS, she is active in volunteer activities as an advocate for disabled persons as a member of the National Rehabilitation Association, the National Association of the Physically Handicapped, the League of Disabled Voters and the American Association of Workers for the Blind; and

WHEREAS, the purpose of the pageant is to stress the productivity, dignity, attractiveness and basic values of disabled people; and

WHEREAS, while it is designed to stimulate public interest and action in the removal of architectural barriers, the pageant also stresses the elimination of discriminating attitudes against disabled persons; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Miss Tilley on her work and courage as a leader for the handicapped, congratulate her on winning the title of Miss Wheelchair Alabama and wish her well at the Miss Wheelchair America Contest, December 16.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Miss Tilley and to the Division of Rehabilitation and Crippled Children's Service of the State Department of Education.

On motion of Rep. Bennett, the rules were suspended and the resolution, H. J. R. 17, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Ypeaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 6. COMMENDING MR. HUGH BRANYON, PARK SUPERINTENDENT AT GULF STATE PARK, AND HIS ENTIRE STAFF.

Also:

H. J. R. 8. HONORING THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL AND DESIGNATING THE WEEK OF AUGUST 3RD "ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL WEEK."

Also:

H. J. R. 10. COMMENDING MR. TAYLOR J. PAYNE UPON HIS RETIREMENT AS EDUCATION SPECIALIST WITH THE ALABAMA STATE DEPARTMENT OF EDUCATION.

Also:

H. J. R. 11. HONORING DR. LEVI WATKINS UPON HIS RETIREMENT.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Dial:

H. J. R. 18. COMMENDING MISS ANITA SMITH OF LINEVILLE, CLAY COUNTY, ALABAMA.

WHEREAS, the Legislature of Alabama has noted the designation by the Lineville Baptist Church of August 9, 1981, as Anita Smith Appreciation Day; and

WHEREAS, a graduate of the University of Montevallo with post graduate studies at Auburn University and the University of Alabama, Miss Smith was associated with the Clay County School System from 1935 until her retirement in 1973; and

WHEREAS, Miss Smith, during her long and dedicated tenure as an educator, served as Librarian, as an English teacher and as an instructor in Commercial Education; and

WHEREAS, she is currently employed by the Clay County Nursing Home and is a member of a number of professional, civic and community organizations including the Inter-Se Club, the Retired Teachers Association and Delta Kappa Gamma; and

WHEREAS, Miss Smith's major involvement, however, is centered around her activities with the Lineville Baptist Church which she has served as Organist for more than 30 years; she also is a member of W. M. U. and serves on the Stewardship Committee of her church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Miss Anita Smith of Lineville, Alabama, and express our pleased concurrence with the designation of August 9, 1981, as Anita Smith Appreciation Day.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for permanent display in the Lineville Baptist Church with a copy also sent to Miss Smith in token of our sincere warm praise and high regard.

On motion of Rep. Dial, the rules were suspended and the resolutions, H. J. R. 18, was adopted.

Also:

By Rep. Wyatt:

H. J. R. 19. EXPRESSING THE CONCERNS OF THE LEGISLATURE OVER THE RELEASE OF PRISONERS INTO SOCIETY.

WHEREAS, the Citizens of Alabama are concerned about the deterioration of the moral standards of our society; and

WHEREAS, the Citizens of Alabama are concerned about rising crime; and

WHEREAS, the citizens of Alabama are interested in the protection of each human life and property; and

WHEREAS, the Citizens of Alabama are hopeful we can maintain a peaceful and safe society for ourselves, our children and our children's children; and

WHEREAS, the Citizens of Alabama are God-fearing, hard-working and productive members of these great United States of America; and

WHEREAS, the Citizens of Alabama are carrying a heavy tax burden to support the prison system of this state; and

WHEREAS, the Citizens of Alabama and the Governor are making good faith efforts to improve the conditions of our prisons; and

WHEREAS, the Citizens of Alabama agree that it may be cruel and unusual punishment to keep human beings in an unsanitary, crowded prison; and

WHEREAS, we believe it is even more cruel and unusual punishment to society and our citizens to release criminals upon this society and its good citizens; and

WHEREAS, we believe the Constitution addresses the aspect of cruel and unusual punishment of society in general as well as that of the criminal; now therefore

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That U. S. District Judge Robert Varner be requested not to release any more prisoners from Alabama prisons into the public sector when they have committed all types of crime and should serve their entire prison sentence.

BE IT FURTHER RESOLVED, That the Governor of Alabama negotiate a plan with the Federal Courts which would prevent any further release of prisoners until the state can provide better facilities for those who are incarcerated.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor of Alabama and U. S. District Judge Robert Varner of the Middle District Court in the State of Alabama.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Wyatt offered the motion to suspend the rules and adopt the resolution, H. J. R. 19.

DIVISION OF THE QUESTION

Rep. Holmes called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES ADOPTED

The question was then on the motion offered by Rep. Wyatt to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 19, and the motion was adopted.

Yeas 57; Nays 8.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Carter, Clark (G), Cooley, Cosby, Daniels, Dial, Dixon, Gafford, Gilmer, Gregg, Grimsley, Hall, Harper (O), Harper (T), Higginbotham, Holley, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Parker, Payne, Pegues, Penry, Rains, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Warren, Willis, Wyatt and Zoghby.

—57

Nays:

Reps. Buskey, Escott, Ford, Holmes, Horn, Johnson (Roy), Nevett and Reed.

—8

RESOLUTION ADOPTED

The question was then on the motion offered by Rep. Wyatt to adopt the resolution, H. J. R. 19, and the resolution was adopted.

Yeas 58; Nays 6.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Carter, Cheatwood, Clark (G), Cooley, Cosby, Crow, Daniels, Dixon, Ford, Gilmer, Gregg, Grimsley, Hall, Harper (O), Harper (T), Holley, Johnson (R. G.), Johnson (Roy), Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Willis, Wyatt and Zoghby.

—58

Nays: Reps. Buskey, Escott, Holmes, Horn, Nevett and Reed.

—6

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Barton, Ray and Sasser:

H. 81. To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm, or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61 (c), Code of Alabama, 1975, as amended on the storage, use, or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981 for storage, use or other consumption in this state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

Ways and Means.

By Rep. Riddick:

H. 82. To amend Code of Alabama 1975, Section 16-25-11, which relates to the Teachers' Retirement System; and Section 36-27-11 which relates to the Employees' Retirement System amending said sections so as to extend the period of eligibility for purchasing credit for previously withdrawn service; to provide a period of one year after October 1, 1981, for retired members to purchase credit for service previously withdrawn or terminated due to five years absence from service.

Ways and Means.

By Rep. Gilmer:

H. 83. To propose an amendment to the Constitution of Alabama of 1901, to authorize the establishment of a consolidated and unified system for the assessment and collection of taxes in Lamar County and for the abolition of the offices of tax assessor and tax collector of such county.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Rep. Gilmer (with notice and proof):

H. 84. Relating to Lamar County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 84, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Clark (G):

H. 85. Proposing an amendment to the Code of Alabama permitting legal action by the representative or dependent of a deceased employee against a co-employee, as defined herein, causing the death of the employee; defines "co-employee"; and protecting the damages recovered by the representative or dependent in such actions against parties other than the employer from subrogation claims.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Reps. Waggoner and Amari:

H. 86. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame board so as to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

Ways and Means.

By Rep. Waggoner:

H. 87. To amend Section 2, Subsection D, 31, of Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to change the appropriation for the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama to the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham.

Ways and Means.

By Rep. Trammell:

H. 88. Proposing an amendment to Section 22-30-21 of the Code of Alabama (1975) relating to the transportation and handling of hazardous waste; provides for certain rules and regulations concerning the transportation and handling of hazardous material by rail.

Commerce, Transportation and Utilities.

The above bill was read a first time at length as required by the Constitution.

By Rep. Sandusky:

H. 89. To amend Sections 1 and 2 of Act No. 81-700, H. 482 of the 1981 Regular Session of the Legislature prescribing certain procedures governing the sale or leasing of public lands belonging to the state or any of its agencies or departments so as to exempt the State Docks Department from certain advertising procedures prescribed therein.

Judiciary.

By Rep. Sandusky:

H. 90. To provide that any Circuit Judge of the State of Alabama who is now presently holding office as a Circuit Judge, and who had time of service as an Official Law Clerk for the Alabama Supreme Court may have such service credited as time in a Judicial position with the Judicial Retirement System; to provide that such credit shall be limited to one year; to provide that any such Circuit Judge must pay into the Judicial Retirement Fund a sum equal to six percent (6%) of his then annual salary as such Official Law Clerk for such credit desired, not exceeding one year; and to further provide a one year period in which such election and purchase shall be completed.

Ways and Means.

By Reps. Ward, Turnham, Laird and Harper (O) (With Notice and Proof):

H. 91. Relating to the Cities of Lanett and Valley in Chambers County; authorizing said cities to contract for municipal services.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 91, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Laird (With Notice and Proof):

H. 92. Relating to Randolph County; to further regulate probate court fees.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 92, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Laird (With Notice and Proof):

H. 93. To authorize the Randolph County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 93, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Smith (J):

H. 94. To amend Section 36-29;1 of the Code of Alabama 1975, relating to the state employees' health insurance plan, so as to extend eligibility for coverage to certain employees who are employed less than full-time by the State of Alabama.

Ways and Means.

By Rep. Venable and Grouby:

H. 95. To provide salary increases for certain state employees and to appropriate funds therefor.

Ways and Means.

By Reps. Lewis and Seibels:

H. 96. To prohibit an individual or business entity from holding himself out as selling a controlled substance when in reality said substance is not a regulated controlled substance; and to provide criminal penalties for violating this Act.

Judiciary.

By Reps. Lewis and Amari:

H. 97. To amend Section 20-2-80, Code of Alabama 1975, which relates to trafficking in certain illegal drugs, so as to include the drug methaqualone within the section.

Judiciary.

By Reps. Lewis, Howard, Bennett, Boles, Trammell and Nevett (With Notice and Proof):

H. 98. Relating to Jefferson County; fixing the salary of the deputy probate judge.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 98, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. McMillan:

H. 99. To amend Section 40-14-70, Code of Alabama 1975, relating to assessment and collection of corporate shares of stock, so as to alter the method of assessment.

State Administration.

By Reps. McMillan and Penry (With Notice and Proof):

H. 100. Relating to Baldwin County; authorizing the Baldwin County board of health to fix from time to time a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 100, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Horn:

H. 101. To provide for governmental reform in the use of state aircraft; to establish the joint legislative, executive and judicial oversight committee on the use of state aircraft; to provide for the composition of membership, the meetings, and duties of the committee and staff; to provide for the reimbursement to the state treasury for charges for personal use of state aircraft; to prescribe that all state pilots shall maintain a log of all passengers and certain other data on the use of any state aircraft and file such log and data with the said committee; and to provide for legislative per diem and expenses and funds therefor.

State Administration.

By Reps. Zoghby, Biddle and Bedsole:

H. 102. To amend Section 21-7-4, Code of Alabama 1975, relating to the right of blind persons to be accompanied by a guide dog, so as to extend said right to persons using a hearing dog.

State Administration.

By Rep. Zoghby:

H. 103. To amend Section 19-3-1, Code of Alabama 1975, which provides for the creation of trusts for the support of relatives, so as to provide further for said trusts.

Judiciary.

RESOLUTIONS

The following resolution was introduced:

By Rep. Gilmer:

H. R. 20. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 83, PROPOSING A CONSTITUTIONAL AMENDMENT RELATIVE TO COURT COSTS, CONSOLIDATION OF CERTAIN OFFICES, ETC., IN LAMAR COUNTY.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinions on the following important constitutional question concerning pending H. B. 83, which proposes a constitutional amendment relative to court costs, compensation of certain officers and the consolidation of certain offices in Lamar County, copies of which are attached to this resolution and made a part hereof by reference:

Does Section 4 on page 3 of H. B. 83, the proposed constitutional amendment, which states in part: "... provided further, that if this amendment is approved by a majority of the qualified electors of Lamar County who vote thereon upon its submission, such election shall constitute a referendum election held for such purpose and no further election need be called," fall within the constitutional prohibitions of Amendment 24 to Article XVIII, Section 284, or Article XVIII, Section 285 of the Constitution of Alabama, 1901?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send sufficient true copies of the pending bill, H. B. 83, with attachments,

to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Rep. Gilmer, the rules were suspended and the resolution, H. R. 20, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Smith (J):

H. R. 21. COMMENDING THE 1980 SOCCER TEAM OF THE UNIVERSITY OF ALABAMA, HUNTSVILLE.

Also:

By Reps. Zoghby, Gafford, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

H. J. R. 22. MOURNING THE DEATH OF MRS. CLARA STONE COLLINS OF MOBILE, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mrs. Clara Stone Collins of Mobile, Alabama, on June 2, 1981, at the age of 73 years; and

WHEREAS, a native and lifelong resident of Mobile, Mrs. Collins was a member of a prominent family in that area of our state; she was the daughter of George E. and Claudia Kirkpatrick Stone, and was the granddaughter of S. Graham Stone and William Laird Kirkpatrick both of whom served in the Confederate forces during the War Between the States; and

WHEREAS, Mrs. Collins was educated in the public schools of Mobile and was awarded a bachelor of arts degree from the University of Alabama; following graduation, she was a teacher in the Mobile County school system for a period of three years; and

WHEREAS, Clara Stone Collins was the first woman to represent Mobile County in the State Legislature, serving successively for two terms in the House of Representatives from 1963 until 1971; in 1964 she became the first woman in our state's history to qualify as a candidate for the United States Congress; and

WHEREAS, listed in Who's Who in American Politics and in Who's Who of American Women, Mrs. Collins also was named First Lady of Mobile in 1954, Outstanding Life Underwriter of Alabama in 1964 and Alabama Woman of the Year in 1963; and

WHEREAS, she was a past president of both the National Order of Women Legislators and Alabama Women Legislators, and was chairman of the Board of Trustees of the Alabama Institute for the Deaf and Blind at Talladega; and

WHEREAS, her many other activities included the Friends of the Mobile Public Library, Historic Mobile Preservation Society, Mobile Auxiliary to the Power Squadron, the Mobile Infirmary Auxiliary, Mobile County Wildlife and Conservation Society, the Mobile Symphony Guild, Mobile Opera Guild, the Mobile Junior League and Delta Delta Delta Alumnae Association; and

WHEREAS, through political prominence and longtime involvement in civic and community affairs, Mrs. Collins tirelessly served the citizens of Alabama and of her beloved hometown; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mrs. Clara Stone Collins of Mobile, Alabama, and extend our most heartfelt sympathy to her family and many, many friends who are bereft in their great loss.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to her sons, Edward Earl Fields, Jr., and George Stone Fields, and to other family members that they may know we deeply share the sorrow of their loss.

On motion of Rep. Zoghby, the rules were suspended and the resolution, H. J. R. 22, was adopted.

Also:

The following resoluition was introduced and distributed according to Joint Rule 11:

By Reps. Holmes and Horn:

H. R. 23. COMMENDING EDWARD CASTLEBERRY FOR HIS MANY OUTSTANDING ACCOMPLISHMENTS IN THE RADIO AND TELEVISION INDUSTRY.

ADJOURNMENT

On motion of Rep. Manley, and pursuant to the resolution, H. R. 15, heretofore adopted, the House adjourned until 10:00 o'clock a. m., Thursday, August 6, 1981.

THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, August 6, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Dick Johns, Pastor, Ramer Charge of the United Methodist Church and Professor, Huntingdon College, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

JACK BIDDLE,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

LEAVE OF ABSENCE

At the request of Rep. Johnson (R. G.), leave of absence was granted for Rep. Shoemaker for personal reasons.

RESOLUTION

The following was introduced:

By Rep. Manley:

H. R. 24. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when the House adjourns today, Thursday, August 6, 1981, it adjourns to meet again on Tuesday, August 11, 1981, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 24, was adopted.

BILLS ON SECOND READING

Rep. Kelley, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 13. Proposing an amendment to the Constitution of Alabama relating to the prohibition of legal action by employees covered under workmen's compensation laws against co-employees; and defining co-employees.

The above bill was read a second time at length as required by the Constitution.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 19. To alter or rearrange the boundary lines of the Town of Nectar, Blount County, Alabama, so as to include therein and within the corporate limits of said Town territory not already included therein.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 45. (With Amendment): To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 46. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

H. 91. Relating to the Cities of Lanett and Valley in Chambers County; authorizing said cities to contract for municipal services.

H. 92. Relating to Randolph County; to further regulate probate court fees.

H. 93. To authorize the Randolph County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committee, as follows:

By Rep. Goodwin:

H. 104. Relating to the Thirty-first Judicial Circuit, to change the present jury strike system to a one strike system in trials by jury for misdemeanors or felonies not punished by capitally or upon appeals to the circuit courts from lower courts.

Local Legislation No. 1.

By Rep. Cheatwood:

H. 105. Proposing an amendment to Section 22-30-21 of the Code of Alabama (1975) relating to the transportation and handling of hazardous waste; provides for certain rules and regulations concerning the transportation and handling of hazardous material by rail.

Commerce, Transportation and Utilities.

The above bill was read a first time at length as required by the Constitution.

By Rep. Cates:

H. 106. A bill to amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in excess of the rate of interest provided by statute shall be deposited in the general fund.

Ways and Means.

By Rep. Gafford:

H. 107. To authorize the Alabama Supreme Court to hire six staff attorneys and to pay the necessary salaries and expenses thereof, in addition to the staff presently employed by said Court; to make an appropriation of the state general fund to cover said salaries and expenses.

Ways and Means.

By Rep. Letson (With Notice and Proof):

H. 108. Relating to Lawrence County; providing that the payment of an expense allowance in the amount of \$100.00 per month being paid by the County Commission to the members of the Board of Education shall be discontinued and thereafter such payment shall be paid from the public school funds.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 108, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Penry, Smith (J), Cheatwood, Harrison, Dixon, Johnson (Roy), Albright, Mitchell, Wyatt, Warren, Buskey and Stewart:

H. 109. To make a conditional supplemental appropriation to the Office of Secretary of State for the fiscal year ending September 30, 1982.

Ways and Means.

By Reps. Penry, Smith (J), Seibels, Cheatwood, Olive, Harrison, Dixon, Johnson (Roy), Albright, Mitchell, Wyatt, Warren, Buskey and Stewart:

H. 110. To make a supplemental appropriation from the general fund in the state treasury to the Office of Secretary of State, for the current fiscal year and for the fiscal year ending September 30, 1982.

Ways and Means.

By Rep Gafford:

H. 111. Relating to the legislative process; giving certain priority to certain state government appropriation bills during each regular session of the legislature.

Judiciary.

By Rep. Bennett (With Notice and Proof):

H. 112. To provide members of the City of Birmingham's governing body with an expense allowance for attending business of the city within the municipal corporate limits.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 112, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Bennett (With Notice and Proof):

H. 113. To repeal Act No. 104, 1964 Regular Session (Acts of 1964, p. 166), and Act No. 129, 1965 Regular Session (Acts of 1965, p. 194), which relate to certain expense allowances for members of city governing bodies having a population of 300,000 or more according to the last federal census.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 113, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Bennett, Amari and Lewis (With Notice and Proof):

H. 114. A bill to supplement the salaries of the Circuit Judges of the Tenth Judicial Circuit.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 114, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Moore:

H. 115. To exempt the King's Ranch, Inc., of Chelsea, Alabama, from the payment of all state, county and municipal sales and use taxes.

Ways and Means.

By Reps. Shavers, Stout and Hall:

H. 116. To amend Section 16-11-3 of the Code of Alabama 1975 relating to the appointment of members of the board of education by the municipal governing body, so as to provide that by local law the legislature may provide that such members may be elected by the qualified voters as prescribed by such local law.

Local Government.

By Rep. Bennett (With Notice and Proof):

H. 117. To amend Section 3.05 of Act No. 452, Regular Session 1955 (Acts 1955, p. 1004), as amended, providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to further provide for the compensation of the council.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 117, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Payne:

H. 118. To amend Section 3 of Act 81-700 to exempt leases of public lands belonging to the state in amounts not exceeding \$2,000 from advertising and appraisal.

Natural Resources.

By Rep. Biddle:

H. 119. To authorize constables to hire deputies; and to provide for the compensation, duties and term of office of such deputy.

Ways and Means.

By Rep. Drinkard:

H. 120. Providing for isolation of the appropriations bills for the educational and general operations of state government for the following fiscal year during the first twelve legislative days of each regular session and authorizing the legislature to alter such isolation schedule.

Judiciary.

By Rep. Escott (With Notice and Proof):

H. 121. To provide funding for Birmingham-Jefferson County Transit Authority, a public corporation organized under Act No. 993 of the 1971 Regular Session of the Legislature of Alabama (the "Transit Authority"), by authorizing the levy in and by Jefferson County, Alabama (the "County"), of a privilege or license tax of up to one-quarter of one percent, generally parallel to the State sales tax, upon persons engaged in the County in any

business subject to the State sales tax, and of an excise tax of up to one-quarter of one percent, generally parallel to the State use tax, on the storage, use or other consumption in the County of tangible personal property purchased at retail; to provide the conditions upon which such taxes may be levied and the determination of the rate thereof; to provide that the said privilege or license tax is required to be passed on to the consumer or purchaser at retail, to the extent provided for in this act; to provide for the making of reports or returns and the keeping of records with respect to the taxes herein authorized; to provide that the exemptions applicable to the State sales tax statutes and the State use tax statutes, as said statutes may from time to time be amended, shall be applicable respectively to the said privilege or license tax and the said excise tax; to provide an exemption of all sales and uses occurring within municipalities in which regular public transit services are not provided and in municipalities that levy sales and use taxes equal to or greater than that levied by the County hereunder and pay the proceeds thereof to the Transit Authority; to confer power to administer the said taxes upon the Director of Revenue or other officer or employee of the County charged with the duty of collecting county business license taxes or other license taxes now or hereafter required by law to be paid; to provide for the collection of the taxes authorized by this act; to authorize the said Director of Revenue, or other county officer or employee collecting said business license taxes or other license taxes as aforesaid, to enforce such collection by civil suit, injunction, and accounting, or any of them; to provide that the taxes authorized by this act shall constitute a lien and to provide that such lien shall be superior to all other liens except the liens of ad valorem taxes, other license taxes, and municipal assessments; to provide for the enforcement of the lien of the taxes authorized by this act; to provide that any taxpayer dissatisfied with the assessment made against him with respect to any such tax may appeal from the assessment to the Circuit Court of Jefferson County, and to prescribe the procedure of such appeal; to provide that from the proceeds collected each month from the taxes herein authorized, there shall first be paid into the general treasury of the County a specified percentage to compensate the County for the administration, collection, and enforcement expenses relating to such taxes, and the remainder of such proceeds shall be paid to the Transit Authority, or any successor thereto; to provide for changes in the amount of the levy from year to year; to provide that act be read in pari materia with Act 232 of the Regular Session of 1977 in approving a transit budget and determining the allocations of local governments under said Act 232; to provide an effective date for this act; and to provide that the provisions of this Act shall be severable.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 121, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Smith (M), Bedsole, Minus, Penry and Coburn:

H. 122. To authorize the installation, selling, maintenance and use of on-site aerobic wastewater treatment facilities; to provide definitions and requirements for such facilities; to transfer certain personnel, property, equipment and funds from the state and county health departments to the department of agriculture and industries (hereinafter referred to as the department) for the administration of the provisions of this act and requiring cooperation for orderly transfers; to authorize certain appointments

to be made by the department; to authorize the hiring of professional consultants by the department; to require the department to adopt regulations necessary to implement the provisions of this act and specifically requiring regulations concerning the inspections of septic tanks, subdivisions and alternate systems, and to make certain appropriations to the department to fund its operations; to provide for rights of entry to effectively regulate the provisions of this act; to require the issuance of permits for the installation of such aerobic wastewater treatment facilities; to provide injunctive remedies in certain instances; to provide penalties for violations; to provide an appeal procedure for persons aggrieved by actions of the department; to provide for certain exemptions from the provisions of this act; and to specifically supersede the provisions of Sections 2-2-33 and 2-2-34, Code of Alabama 1975, as amended.

Health.

By Rep. Escott:

H. 123. Proposing an amendment to Section 22-30-21 of the Code of Alabama (1975) relating to the transportation and handling of hazardous waste; provides for certain rules and regulations concerning the transportation and handling of hazardous material by rail.

Commerce, Transportation and Utilities.

The above bill was read a first time at length as required by the Constitution.

By Rep. Manley:

H. 124. Relating to the legislative process in enacting certain appropriation acts; (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the state, for the payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this act prohibiting final passage of certain bills in either house may be made inapplicable by four-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of this act prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in this act shall be construed as requiring the legislature to make any appropriation not otherwise required by the Constitution to be made, and (f) setting a termination date.

Judiciary.

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Sasser and Moore:

H. R. 25. MOURNING THE DEATH OF MRS. LILLIAN N. BENTON

Also:

The following resolution was introduced:

By Reps. Sasser and Moore:

H. J. R. 26. MOURNING THE DEATH OF MRS. LILLIAN N. BENTON

WHEREAS, the Legislature of Alabama is deeply saddened to learn of the death of Mrs. Lillian N. Benton on August 1, 1981, at the age of 77; and

WHEREAS, Mrs. Lillian N. Benton was a resident of Homewood, Alabama; and

WHEREAS, Mrs. Lillian N. Benton earned for herself a host of friends by her exemplary life, warmth and good cheer; and

WHEREAS, Mrs. Lillian N. Benton, a compassionate and gracious lady will long be remembered with love by those whose lives she touched; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mrs. Lillian Benton and extend heartfelt sympathy to her son, J. Robert Benton, her granddaughter, Lee Ann Benton Crawford, and to her great grandsons Kevin and Keith to whom copies of this resolution shall be sent that they may know we share in their loss.

On motion of Rep. Moore, the rules were suspended and the resolution, H. J. R. 26, was adopted.

BILLS ON THIRD READING

And the bill:

H. 6. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Registrars of Henry County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Crow, Daniels, Dial, Dixon, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Hines, Laird, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Penry, Rains, Reed, Sasser, Smith (C), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams and Willis.

And the bill:

H. 7. Relating to Henry County; providing further for the expense allowance of the members of the county commission.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Biddle, Bowling, Brakefield, Cabaniss, Carothers, Cheatwood, Clark (G), Cobb, Crow, Dial, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Howard, Johnson (Roy), Laird, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Penry, Rains, Ray, Reed, Sasser, Smith (C), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—57

And the bill:

H. 11. (With Amendment): Relating to DeKalb County; to provide further for the pay of each deputy sheriff who is engaged in hazardous duties.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Biddle, Bowling, Brakefield, Cabaniss, Cates, Cheatwood, Clark (G), Cobb, Crow, Dial, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Howard, Johnson (Roy), Laird, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Penry, Rains, Ray, Reed, Roberts, Sasser, Smith (C), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—63

And the bill:

H. 12. Relating to the City of Fort Payne, DeKalb County, Alabama; providing further for additional compensation for certain enforcement of state laws to certain municipal police officers for hazardous duty pay; excluding certain police officers who perform administrative or ministerial functions; providing that such compensation be paid from the municipality in the same manner as other compensation is paid to police officers.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Biddle, Brakefield, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Crow, Edwards, Ford,

Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Penry, Rains, Ray, Reed, Roberts, Sasser, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Willis and Wyatt.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 14. To amend Act No. 81-229, 1981 Regular Session, entitled, "Relating to Sumter County, levying a fee on all hazardous and non hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violations," so as to provide further for the fees and disbursement thereof on private enterprises which make a profit burying or storing hazardous waste.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 0.

Yeas:

Reps.: Barton, Biddle, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cobb, Crow, Edwards, Escott, Ford, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harvey, Hines, Johnson (R. G.), McMillan, Manley, Mitchell, Moore, Olive, Penry, Rains, Reed, Roberts, Sasser, Starkey, Stewart, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 15. Relating to Choctaw County; to provide an additional expense allowance for members of the county commission.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bennett, Biddle, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cobb, Crow, Dial, Edwards,

Ford, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Hines, Horn, Johnson (R. G.), McMillan, Manley, Minus, Mitchell, Moore, Olive, Parker, Penry, Rains, Reed, Roberts, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Wyatt.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 35. To authorize the governing body of Lee County, Alabama, to levy and collect special county privilege and license taxes, generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes generally paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body, and for the enforcement of this act by the State Department of Revenue; to specify the maximum duration for which any such taxes may be levied; to prescribe penalties and fix punishment for violations of this act; and to provide for the expiration of those taxes levied and imposed under authority of Act No. 81-553 which is to be repealed concurrently with the effective date of any levy of taxes authorized in this act.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cobb, Crow, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Johnson (R. G.), Manley, Minus, Mitchell, Moore, Olive, Parker, Rains, Roberts, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 42. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Thorsby in Chilton County.

Was taken up.

H. 42 POSTPONED

On motion of Rep. Smith (C), the bill, H. 42, was postponed to the fourth legislative day.

And the bill:

H. 56. To authorize the Covington County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; to prescribe the procedure for levying and collecting such assessments; and to provide certain exceptions thereto.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

Yeas:

Reps.: Adams (C), Adams (H), Barton, Biddle, Brakefield, Cabaniss, Carter, Cates, Clark (G), Cobb, Crow, Dixon, Edwards, Gafford, Gilmer, Goodwin, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Holley, Manley, Minus, Mitchell, Moore, Olive, Owens, Rains, Roberts, Sasser, Smith (C), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. Stout offered the motion to reconsider the vote by which the bill, H. 11, was passed, and the motion to reconsider was adopted.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

In Section 1, line 24, delete the language:

deputies and employees

and insert in lieu thereof:

clerks

And the amendment was adopted.

Yeas 47; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Barton, Bennett, Brakefield, Cabaniss, Carothers, Carter, Clark (G), Cobb, Crow, Dixon, Edwards, Ford, Gilmer, Goodwin, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Hines, McKee, McMillan, Manley, Mitchell, Naramore, Olive, Owens, Rains, Ray, Reed, Sasser, Seibels, Shavers, Smith (C), Starkey, Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 11 as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Reps. Adams (C), Albright, Barton, Bennett, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cobb, Cosby, Crow, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Hines, Horn, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Patton, Pegues, Rains, Ray, Reed, Sasser, Shavers, Smith (C), Starkey, Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 66. To authorize the Elmore County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

Yeas:

Reps. Adams (C), Albright, Barton, Bennett, Blake, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cobb, Cosby, Crow, Dixon, Edwards, Ford, Gilmer, Goodwin, Grouby, Hall, Hammett, Harper (O), Harvey,

Higginbotham, Horn, McKee, Manley, Mitchell, Naramore, Olive, Owens, Rains, Ray, Reed, Roberts, Sasser, Seibels, Smith (C), Starkey, Stewart, Trammell, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 73. Relating to law enforcement in Autauga County; to amend Act No. 871, H. 1200 of the Regular Session, 1969 (Acts 1969, p. 1580) as heretofore amended, an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cobb, Crow, Dixon, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, McMillan, Manley, Mitchell, Naramore, Olive, Owens, Parker, Rains, Ray, Reed, Roberts, Sasser, Seibels, Smith (C), Starkey, Stewart, Trammell, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 74. Relating to Lowndes County; amending Section 1 of Act No. 80-319, S. 543 of the 1980 Regular Session (Acts 1980, p. 439), relating to clerical assistants for the tax assessor and tax collector of such county, so as to further provide that the Lowndes County Commission may appoint for each such official one additional full-time assistant and set the compensation payable for all clerical assistants to such officials, and making the provisions retroactive.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 1.

Yeas:

Reps. Adams (C), Adams (H), Albright, Barton, Bennett, Bowling, Brakefield, Cabaniss, Carothers, Clark (G), Cobb, Crow, Edwards, Ford,

Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holmes, McMillan, Manley, Minus, Naramore, Olive, Owens, Parker, Rains, Ray, Reed, Roberts, Sasser, Seibels, Smith (C), Starkey, Stewart, Trammell, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—48

Nay: Rep. Dixon.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Moore, the rules were suspended in order to take up out of order the bill, H. 39.

And the bill:

H. 39. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Leeds, in Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 46; Nays 0.

Yeas:

Reps. Albright, Barton, Bennett, Biddle, Bowling, Brakefield, Carothers, Clark (G), Cobb, Crow, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harvey, Higginbotham, Hines, Kelley, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Reed, Roberts, Sasser, Seibels, Shavers, Smith (C), Starkey, Trammell, Venable, Ward, Whatley, Williams, Willis and Wyatt.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 77. (With Amendments): To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

Was taken up.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 77 on page 36, Section 5, lines 3 and 4 by striking the words "Diabetic Institute (for Capital Outlay)" and inserting in lieu thereof the following:

Montgomery Internal Medicine

And the amendment was adopted.

Yeas 70; Nays 3.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Cabaniss, Carothers, Carter, Cates, Cheatwood, Cobb, Coburn, Cooley, Daniels, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Laird, McKee, Manley, Minus, Moore, Naramore, Olive, Owens, Patton, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Williams, Willis and Zoghby.

—70

Nays: Reps. Mitchell, Rains and Wyatt.

—3

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 77, page 21, line 8 after the word "Education" by adding the following: \$1.2 million shall be allocated for handicapped students in Vocational Education,

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Laird, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Patton, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—78

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 13. COMMENDING DR. DAVID TIFFANY.

Also:

H. J. R. 17. COMMENDING HELEN TILLEY AS MISS WHEEL-CHAIR ALABAMA 1981.

Also:

H. J. R. 18. COMMENDING MISS ANITA SMITH OF LINEVILLE,
CLAY COUNTY, ALABAMA.

Also:

H. J. R. 22. MOURNING THE DEATH OF MRS. CLARA STONE
COLLINS OF MOBILE, ALABAMA.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has
examined the following House Joint Resolutions, to-wit:

H. J. R. 13. COMMENDING DR. DAVID TIFFANY.

Also:

H. J. R. 17. COMMENDING HELEN TILLEY AS MISS WHEEL-
CHAIR ALABAMA 1981.

Also:

H. J. R. 18. COMMENDING MISS ANITA SMITH LINEVILLE,
CLAY COUNTY, ALABAMA.

Also:

H. J. R. 22. MOURNING THE DEATH OF MRS. CLARA STONE
COLLINS OF MOBILE, ALABAMA.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately
after the titles had been publicly read by the Clerk, the reading at length
having been dispensed with by a two-thirds vote of a quorum present, signed
the House Joint Resolutions, the titles of which are set out in the above and
foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint
Resolution and returns same herewith to the House:

H. J. R. 26. MOURNING THE DEATH OF MRS. LILLIAN N.
BENTON.

McDOWELL LEE,
Secretary.

H. 77 RESUMED

SUBSTITUTE OFFERED

Rep. Hammett offered the following substitute to the bill, H. 77 as amended:

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 1982, and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 6 inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs is shown by programmatic area and the total for all programs is shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, "ASETF" shall mean the Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund, Alabama Special Educational Trust Fund Surplus Account, Special Mental Health Fund, and Public School Fund Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1982, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions, and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama, 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Trust Funds" and "Appropriation Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the Legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be estimated by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3. State Agencies

1. ACADEMY OF HONOR, ALABAMA

(a) Historical Resources Management Program

SOURCE OF FUNDS

(1) ASETF	855	
Total Alabama Academy of Honor	855	855

2. ARTS AND HUMANITIES,
COUNCIL ON THE

(a) Fine Arts Program	1,020,000
(b) Birmingham Symphony	180,000
(c) Alabama Shakespeare Festival	22,500

SOURCE OF FUNDS

(1) ASETF	472,500	
(2) Federal and Local Funds		750,000
Total Council on the Arts and Humanities	472,500	750,000
		1,222,500

3. DEBT SERVICE

(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII	218,256
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(b) Interest on Endowments:

For interest of University of Montevallo (Alabama College) Endowment, Estimated ...	45,000
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For interest on Auburn University Endowment	20,280
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For interest on University of Alabama Endowment	61,000
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For interest on Grove Hill Endowment	600
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For interest on Public School Fund Endowment:	
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Interest on 16th Section lands, Estimated	410,000
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Interest on School Indemnity Lands, Estimated	90,000
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Interest on Valueless 16th Section Lands	5,825
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Interest on Surplus Revenue	26,764
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Interest on James Wallace Fund	275
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Total	878,000
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SOURCE OF FUNDS

(1) ASETF	<u>878,000</u>	
Total Debt Service	<u>878,000</u>	<u>878,000</u>

4. DENTAL SCHOLARSHIP
AWARDS, BOARD OF

(a) Support of Other Educational Activities Program		228,000
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SOURCE OF FUNDS

(1) ASETF	<u>228,000</u>	
Total Board of Dental Scholarship Awards	<u>228,000</u>	<u>228,000</u>

(To be expended under the provisions of Act No. 662, 1977 Regular Session.)

5. EDUCATION, DEPARTMENT
OF

(a) Instructional Technical Assistance Program		7,844,108
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The proposed spending plan for the above is as follows:

Basic Skills	72,225
Career Education	98,000
Special Education	
Administration	450,000
State Fire College and Technical Assistance Program at Shelton State Community College	228,559
Vocational Education ...	651,000

SOURCE OF FUNDS:

(1) ASETF	1,499,784		
(2) Federal and Local Funds		<u>6,344,324</u>	
Total Instructional Technical Assistance Program	<u>1,499,784</u>	<u>6,344,324</u>	<u>7,844,108</u>

(The appropriation for Special Education Administration is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(b) Local Agency Support Program		8,815,743
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The proposed spending plan for the above is as follows:

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Coordination of In-School Television 102,743

School Bus Driver Training and Vehicle Safety Inspection 192,000

Driver Education Administration 50,000

Free Textbooks 7,705,000

In addition to the above appropriation, \$1,500,000 is hereby appropriated for Free Textbooks to be conditional on the availability of funds and the approval of the Governor.

Testing 700,000

Plans and Surveys 66,000

SOURCE OF FUNDS:

(1) ASETF 8,815,743

(2) Federal and Local Funds 2,011,824

Total Local Agency Support Program 8,815,743 2,011,824 10,827,567

(c) Regulation Program 912,246

Teacher Certification and Accreditation 211,000

SOURCE OF FUNDS:

(1) ASETF 211,000

(2) Federal and Local Funds 701,246

Total Regulation Program 211,000 701,246 912,246

(d) Administrative Services Program 10,780,575

The proposed spending plan for the above is as follows:

Compact for Education ... 27,000

Operations & Maintenance of Department 2,240,000

Kindergarten Administration 100,000

Telephone Network Fund 1,080,000

SOURCE OF FUNDS:

(1) ASETF 3,447,000

(2) Federal and Local Funds 7,333,575

Total Administrative Services Program 3,447,000 7,333,575 10,780,575

The above appropriation shall include a transfer to the State Personnel Department of \$63,494.

(e) Adult Education Program . . . 3,613,723

The proposed spending plan for the above is as follows:

Adult Basic Education . . 950,000

Community Education . . . 91,000

SOURCE OF FUNDS:

(1) ASETF	1,041,000		
(2) Federal and Local Funds		<u>2,572,723</u>	
Total Adult Education Program .	<u>1,041,000</u>	<u>2,572,723</u>	<u>3,613,723</u>

(f) Support of State Universities Program 256,833

SOURCE OF FUNDS:

(1) Federal and Local Funds		<u>256,833</u>	
Total Support of State Universities Program		<u>256,833</u>	<u>256,833</u>

(g) Projects-Vocation Rehabilitation/Cruppled Children Services Program 734,443

SOURCE OF FUNDS:

(1) Federal and Local Funds		<u>734,443</u>	
Total Projects-Voc. Rehab/Crippled Children Services Program		<u>734,443</u>	<u>734,443</u>

(h) Disability Determination for Social Security Program 9,650,611

SOURCE OF FUNDS:

(1) Federal and Local Funds		<u>9,650,611</u>	
Total Disability Determination for Social Security Program		<u>9,650,611</u>	<u>9,650,611</u>

(i) Support of Other Educational Activities 9,000

The proposed spending plan for the above is as follows:

Education of Dependents of Blind Parents 9,100

SOURCE OF FUNDS:

(1) ASETF	<u>9,000</u>		
Total Support of Other Educational Activities	<u>9,000</u>		<u>9,000</u>

For reimbursement of every State Institution of Higher Learning, College, University, or Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.

(j) Emergency Medical Services Education Program	1,215,000
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To be distributed by the Department of Education as follows:

(1) West Ala. Emergency Services, Inc.	202,500
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(2) Birmingham Regional Emergency Medical System	202,500
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(3) North Alabama Emergency Medical Services, Inc. .	202,500
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(4) Southeast Alabama Emergency Medical Services System, Inc.	202,500
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(5) East Alabama Emergency Medical Services, Inc. .	202,500
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(6) Southwest Alabama Emergency Medical Services Council, Inc.	202,500
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The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,215,000</u>
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Total Emergency Medical Services Education Program	<u>1,215,000</u>	<u>1,215,000</u>
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(k) Direct Client Services for the Handicapped	41,223,054
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To be distributed by the Department of Education as follows:

Crippled Children Services Program	4,300,000
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Hemophilia Program	300,000
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Homebound Program ..	2,400,000
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Handicapped Recreation Program	180,000
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(To provide recreation and services
at a year-round accredited hand-
icapped recreation facility.)

Rehabilitation Services
Program 6,000,000

SOURCE OF FUNDS:

(1) ASETF	13,180,000		
(2) Federal and Local Funds		<u>28,043,054</u>	
Total Direct Client Services for the Handicapped	<u>13,180,000</u>	<u>28,043,054</u>	<u>41,223,054</u>
(1) Project to develop a Financial Management Information Sys- tem			39,000

SOURCE OF FUNDS:

(1) ASETF	19,000		
(2) Federal and Local Funds		<u>20,000</u>	
Total Project to Develop a Finan- cial Management Information System	<u>19,000</u>	<u>20,000</u>	<u>39,000</u>
(m) Leadership and Management Training			200,000

SOURCE OF FUNDS:

(1) ASETF	<u>200,000</u>		<u>200,000</u>
Total Leadership and Management Training	<u>200,000</u>		<u>200,000</u>
(n) Research and Planning			200,000

SOURCE OF FUNDS:

(1) ASETF	<u>200,000</u>		<u>200,000</u>
Total Research and Planning	<u>200,000</u>		<u>200,000</u>

Total Department of Education:

SOURCE OF FUNDS:

(1) ASETF	29,837,527		
(2) Federal and Local Funds		<u>57,668,633</u>	
Grand Total Department of Educa- tion	<u>29,837,527</u>	<u>57,668,633</u>	<u>87,506,160</u>

6. EMPLOYEES INSURANCE, STATE			597,074
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SOURCE OF FUNDS:

(1) ASETF	<u>597,074</u>		
Total State Employees Insurance	<u>597,074</u>		<u>597,074</u>

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7. EMPLOYEES RETIREMENT, STATE, ESTIMATED			1,629,435
SOURCE OF FUNDS:			
(1) ASETF	321,668		
(2) ASETF—Cooperative Extension Service	<u>1,307,767</u>		
Total State Employees Retirement	1,629,435		1,629,436
8. EXAMINERS OF PUBLIC ACCOUNTS			
(a) Legislative Support—Audit Services Program			954,915
For purpose of auditing all phases of public education.			
SOURCE OF FUNDS:			
(1) ASETF	<u>954,915</u>		
Total Examiners of Public Accounts	<u>954,915</u>		<u>954,915</u>
9. FINE ARTS, ALABAMA SCHOOL OF			
(a) Fine Arts Program			
SOURCE OF FUNDS:			
(1) ASETF	600,000		
(2) Federal and Local Funds		<u>88,000</u>	
Total Alabama School of Fine Arts	<u>600,000</u>	<u>88,000</u>	<u>688,000</u>
10. FIREFIGHTERS' PERSONNEL STANDARDS AND EDUCATION COMMISSION, ALABAMA			
(a) Professional and Occupational Licensing and Regulation Program			121,793
The appropriation to the Alabama Firefighters' Education Commission shall include a transfer to the State Personnel Department of \$196.			
SOURCE OF FUNDS:			
(1) ASETF	<u>121,793</u>		
Total Alabama Firefighters' Personnel Standards and Education Commission	<u>121,793</u>		<u>121,793</u>
11. HEALTH, DEPARTMENT OF PUBLIC			
(a) Health Support Services Program			450,000

For immunization of preschool children and students and for public school food sanitation.

(b) Personal Health Improvement Program		300,000
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Provided, however, that the above appropriation shall be expended only for the continuation of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting federal matching requirements.

SOURCE OF FUNDS:

(1) ASETF	<u>750,000</u>	
Total Department of Public Health	<u>750,000</u>	<u>750,000</u>

12. HIGHER EDUCATION,
COMMISSION ON

(a) Planning & Coordination Services Program		817,979
(b) Alabama Student Assistance Program		1,169,039
(c) Alabama Student Grant Program		2,700,000

SOURCE OF FUNDS:

(1) ASETF	3,500,000		
(2) Federal and Local Funds		<u>1,187,018</u>	
Total Commission on Higher Education	<u>3,500,000</u>	<u>1,187,018</u>	<u>4,687,018</u>

The Alabama Student Grant funds are to be expended in accordance with Act No. 90, 1978, Second Special Session.

13. INDUSTRIAL DEVELOPMENT TRAINING INSTITUTE,
ALABAMA

(a) Industrial Training Program	1,440,000
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SOURCE OF FUNDS:

(1) ASETF	1,440,000	
(2) Federal and Local Funds		
Total Alabama Industrial Development Training Institute	<u>1,440,000</u>	<u>1,440,000</u>

14. JUNIOR COLLEGE SCHOOL
SYSTEM

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(a) Academic Instruction and Institutional Support Program ..	65,389,055
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SOURCE OF FUNDS:

(1) ASETF	41,479,323		
(2) Federal and Local Funds		9,147,864	
(3) State Funds		755,547	
(4) Other Funds		9,743,216	
(5) Auxiliary Enterprises		4,263,105	
Total Junior College School System			
	41,479,323	23,909,732	65,389,055

This appropriation to the Alabama State Board of Education for the Junior College Equalization Account is to be used for operation and maintenance of the Junior Colleges listed below and is to be distributed on the following formula: \$200,000 to each Junior College. The remainder of the appropriation is to be allotted to each Junior College in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1980-81 by all the Junior Colleges listed in this appropriation, provided, however, the nursing and allied health programs will be funded on a cost basis based upon the 1980-81 academic year in accordance with the number of quarter hours attempted within the departments. Junior Colleges with credit producing programs in Alabama Correctional Institutions shall be reimbursed for tuition that is waived. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville; (21) Shelton State Community College.) Of the above appropriations contained in Section 3-A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program. Of the amount appropriated for Hospital-Medical Insurance in Section 21 (a) , there is hereby appropriated a sum to be determined by the State Board of Education not to exceed five hundred sixteen dollars (\$516.00) per annum per full-time employee in State Junior, Community, and Technical/Institutions, provided that no more than \$516 shall be appropriated per person.

15. LAW INSTITUTE, ALABAMA

(a) Support of Other Educational Activities Program	189,900
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SOURCE OF FUNDS:

(1) ASETF	189,900
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Total Alabama Law Institute	<u>189,900</u>		<u>189,900</u>
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16. LEGISLATURE

(a) House and Senate Operations and Support Program			1,425,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,425,000</u>		
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Total Legislature	<u>1,425,000</u>		<u>1,425,000</u>
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17. LIBRARY SERVICE, PUBLIC

(a) Public Library Service Pro- gram			3,859,162
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The appropriation to the Public Li-
brary Service shall include a
transfer to the State Personnel
Department of \$2,779.

SOURCE OF FUNDS:

(1) ASETF	2,700,00		
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(2) Federal and Local Funds		<u>1,159,162</u>	
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Total Public Library Service	<u>2,700,000</u>	<u>1,159,162</u>	<u>3,859,162</u>
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18. MARINE ENVIRONMEN-
TAL SCIENCES CONSORTIUM

(a) Support of Other Educational Activities Program			547,628
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SOURCE OF FUNDS:

(1) ASETF	400,000		
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(2) Federal and Local Funds		<u>147,628</u>	
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Total Marine Environmental Sci- ences Consortium	<u>400,000</u>	<u>147,628</u>	<u>547,628</u>
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19. MEDICAL SCHOLARSHIPS
AWARDS, BOARD OF

(a) Support of Other Educational Activities Program			711,000
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SOURCE OF FUNDS:

(1) ASETF	<u>711,000</u>		
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Total Board of Medical Schol- arships Awards	<u>711,000</u>		<u>711,111</u>
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(To be expended under the provi-
sions of Act No., 663, 1977 Regu-
lar Session.)

20. MINIMUM PROGRAM AND
PUBLIC SCHOOL FUND

(a) Financial Assistance Program			464,902,971
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SOURCE OF FUNDS:

(1) ASETF	434,226,486		
(2) Public School Fund		26,000,000	
(3) Local Funds		<u>4,676,485</u>	
Total Minimum Program and Public School Fund	<u>434,226,486</u>	<u>30,676,485</u>	<u>464,902,971</u>

The above appropriation shall be paid in accordance with Title 16, Article 3, Code of Alabama, 1975 and all other legislation pertaining thereto.

The appropriation hereinabove set out for the fiscal year 1981-82 is based on 23,811 teacher units.

It is provided in the event there are more than 23,811 earned teacher units for the fiscal year 1981-82, then such amount necessary to pay for these excess teacher units is hereby appropriated. It is further provided that in the event that there be less earned teacher units than those set out above then the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid.

In allocating the funds in subsection (a) the State Board of Education shall allot as follows:

For Board of Adjustment Awards in accordance with the Minimum Program statutes and regulations, the sum of \$150,000.

For "Other Current Expenses" a sum not to exceed \$2,600.00 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

The above appropriation contained in subsection (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes, but shall not exceed the sum of \$47,481,962.

21. BOARD OF EDUCATION,
ALABAMA STATE

(a) Financial Assistant Program	260,152,426
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SOURCE OF FUNDS:

(1) ASETF	<u>260,152,426</u>	
Total Board of Education	<u>260,152,426</u>	<u>260,152,426</u>

(a) To be distributed by State Board of Education for: Hospital-Medical Insurance Assistance for City and County Boards of Education and Junior,

Community and Technical
Colleges/Insti-
tutions \$31,109,255

Of the appropriation hereinabove made for Hospital-Medical Insurance there is hereby appropriated a sum to be determined by the State Board of Education not to exceed five hundred sixteen dollars (\$516.00) per annum per teacher, administrative supervisory unit, full-time support employee, and adult school bus driver, provided that no more than \$516.00 shall be appropriated per person.

(b) Teachers Sick
Leave \$3,500,000

Of the appropriation hereinabove made for Teachers Sick Leave the rate of not more than \$17 per day is hereby appropriated.

(c) Support Personnel Sick
Leave \$1,431,781

The appropriation hereinabove shall provide sick leave in accordance with Act No. 208, 1977 Regular Session.

(d) Teachers Personal
Leave \$925,598

The appropriation hereinabove made to Teachers Personal Leave provides for two (2) days personal leave at \$17 per teacher unit for each teacher employed (except ESEA Title I, Title IV, and Title VI teachers and ESAA teachers).

(e) Funds to Replace
Fees \$7,600,000

Of the appropriation hereinabove made for Funds to Replace Fees there is hereby appropriated two hundred dollars (\$200) per teacher unit for grades K-12 for all teachers employed (except ESEA, Title I, Title IV, and Title VI teachers and ESAA teachers).

(f) Maintenance \$5,400,000

(g) Continuation of funds previously granted for Special Education \$25,326,241

Of the appropriation hereinabove made \$1,200,000 shall be allocated to local boards of education and administered through the State Department of Education for meeting matching requirements of Federal Legislation (P. L. 94-482) for vocational education for the handicapped. Of the

\$25,326,241 for Special Education, \$225,000 shall be allocated to the Tuscaloosa Regional Handicapped School, \$225,000 shall be allocated to the Southwest Alabama School for Deaf and Blind and \$225,000 for the Vivian B. Adams School, \$22,500 shall be allocated to the Butler County Training School for the Mentally Retarded in Greenville, Alabama, \$22,500 shall be allocated to the Hope Haven School in Colbert County, \$22,500 shall be allocated to the Jasper Shriner School, \$22,500 shall be allocated to the Montgomery Institute of Neurlogical Development in Montgomery, Alabama, \$31,500 shall be allocated to the Birmingham Training Center for Brain-Injured Children in Birmingham, Alabama, \$22,500 shall be allocated to Project Independence in Coffee County, Alabama, \$45,000 to the Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled, and \$16,200 to Auburn University Preschool for Multi-Handicapped Children. An amount approved by the State Board of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act No. 106 and P. L. 94-142.

(h) Kindergarten Teacher
Units \$18,819,834

The above appropriation is for 1,080 teacher units and includes salaries, other current expenses, and capital outlay at the same rate as provided in the Minimum Program.

(i) Driver Education Teacher
Units \$7,963,422

The above appropriation is for 457 teacher units and includes salaries, other current expense, and capital outlay at the same rate as provided in the Minimum Program.

(j) Supportive Teacher
Units \$29,674,370

The above appropriation provides for one extra unit or fraction thereof for each aggregate of fifteen units or fraction thereof earned on regular units in the Minimum Program, Kindergarten Units in (h), and additional teacher units in (k). The above appropriation is for 1,703 teacher units and includes salaries, other current expenses, and capital outlay at the same rate as provided in the Minimum Program.

(k) Continuation of Teacher Units
to Reduce Pupil-Teacher Ratio in
Grades 1-6 \$11,327,030

The above appropriation is for 650 teacher units and includes salaries, other current expense, and capital outlay as provided in the Minimum Program.

(1) Special Education \$57,628,030

The above appropriation is for 3,250 teacher units and shall include salaries, other current expense, and capital outlay at the same rate as provided in the Minimum Program. A sum of \$1,000,000 is provided for transportation.

(m) Vocational Teacher
Units \$53,317,265

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon the recommendation of the State Superintendent.

(n) Salary increase for lunch-
room workers formerly
granted \$6,129,600

22. NURSING, ALABAMA BOARD OF

(a) Professional and Occupational
Licensing and Regulation Pro-
gram 607,000

The appropriation to the Alabama Board of Nursing Shall include a transfer to the State Personnel Department of \$527.

SOURCE OF FUNDS:

(1) ASETF—as provided in Act No. 68, 1977 Special Session, Scholarships for Graduate Nurses ..	57,000		
(2) Alabama Board of Nursing Trust Fund—as provided in Title 34, Chapter 21, Code of Alabama 1975 as amended		550,000	
Total Alabama Board of Nursing	57,000	550,000	607,000

23. PEACE OFFICERS' STANDARDS AND TRAINING COMMISSION, ALABAMA

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(a) Professional and Occupational Licensing and Regulation Pro- gram	106,484
(b) Certified Law Enforcement Academy Programs	192,766
Jacksonville State Uni- versity	36,777
University of Alabama ...	36,777
James H. Faulkner Jr. Col- lege	36,777
Troy St. Univ. at Mont- gomery	36,777
Department of Public Safety— Craig Air Force Base ..	45,658
The appropriation to the Alabama Peace Officers' Standards and Training Commission shall in- clude a transfer to the State Per- sonnel Department of \$96.	

SOURCE OF FUNDS:

(1) ASETF	<u>299,250</u>	
Total Alabama Peace Officers' Standards and Training Com- mission	<u>299,250</u>	<u>299,250</u>

24. PHYSICAL FITNESS, COM-
MISSION ON

(a) Advisory Services Program.

The appropriation to the Commis-
sion on Physical Fitness shall in-
clude a transfer to the State Per-
sonnel Department of \$196.

SOURCE OF FUNDS:

(1)ASETF	<u>68,400</u>	
Total Commission on Physical Fit- ness	<u>68,400</u>	<u>68,400</u>

25. POSTSECONDARY
VOCATIONAL-TECHNICAL
EDUCATION SYSTEM

(a) Instructional and Institutional Support Program	49,971,416
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SOURCE OF FUNDS:

(1) ASETF	34,091,384	
(2) Federal and Local Funds		1,314,867
(3) State Funds		711,425
(4) Other Funds		9,707,464
(5) Auxiliary Enterprises		<u>4,146,276</u>

Total Postsecondary Vocational- Technical Education System ..	<u>34,091,384</u>	<u>15,880,032</u>	<u>49,971,416</u>
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For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education. (The above appropriation is to be distributed to the following vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Division; (7) Carver State Technical College; (8) J. F. Drake State Technical College (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical Institute; (12) Theodore A. Lawson State Community College-Technical Division; (13) Douglas McArthur State Technical College; (14) Muscle Shoals State Technical College; (15) Northwest State Technical College; (16) N. F. Nunnelley State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncy Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker State Technical College; (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville). Of the above appropriations contained herein in Section 3-A-25 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program. Of the amount appropriated for Hospital-Medical Insurance in Section 21 (a), there is hereby appropriated a sum to be determined by the State Board of Education not to exceed five hundred sixteen dollars (\$516.00) per annum per full-time employee in State Junior, Community, and Technical/Institutions, provided that no more than \$516.00 shall be appropriated per person.

26. SOCIAL SECURITY (ASETF SHARE)

(a) For State's share of Social Security, Estimated	80,424,668
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(Includes payment to MICA)

SOURCE OF FUNDS:

(1) ASETF	<u>80,424,668</u>	
Total Social Security	<u>80,424,668</u>	<u>80,424,668</u>

27. TEACHERS' RETIREMENT SYSTEM OF ALABAMA

(a) Retirement Systems Program, Estimated	169,062,525
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SOURCE OF FUNDS:

(1) ASETF - Teachers' Retirement System	156,050,125
(2) ASETF - Teachers' Special Pension Fund	<u>13,012,400</u>

Total Retirement Systems Program (State's Share)	169,062,525	169,062,525
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The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund.

28. TENURE COMMISSION,
STATE

(a) Regulation Program		8,100
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SOURCE OF FUNDS:

(1) ASETF	8,100	
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Total State Tenure Commission .	8,100	8,100
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29. TELEVISION COMMISSION,
EDUCATION

(a) Educational TV Services Program		2,686,702
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(b) Public Radio Services Program		395,865
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SOURCE OF FUNDS:

(1) ASETF	1,800,000	
(2) Federal and Local Funds	1,282,567	

Total Education Television Commission	1,800,000	1,282,567	3,082,567
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30. UNEMPLOYMENT COMPENSATION

SOURCE OF FUNDS:

(1) ASETF	1,750,000	
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Total Unemployment Compensation	1,750,000	1,750,000
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31. VETERANS' EDUCATION
BENEFITS

(a) Administration of Veterans' Affairs Programs		1,215,000
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SOURCE OF FUNDS:

(1) ASETF	1,215,000	
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Total Veterans' Education Benefits	1,215,000	1,215,000
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The above appropriation includes prorata administration costs of the Department of Veterans Affairs and for the reimbursement to every State Institution of

Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. YOUTH SERVICES, DEPARTMENT OF

(a) Youth Services Program	9,286,101
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The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$19,187.

SOURCE OF FUNDS:

(1) ASETF	7,605,445		
(2) Federal and Local Funds		<u>1,680,656</u>	
Total Department of Youth Services	<u>7,605,445</u>	<u>1,680,656</u>	<u>9,286,101</u>

(To be expended in accordance with Act No. 816, 1973 Regular Session.)

Section 4. FINANCIAL ASSISTANCE TO NON-STATE EDUCATIONAL AGENCIES

1. ENVIRONMENTAL QUALITY ASSOCIATION, ALABAMA

(a) Environmental Education Program	157,500
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SOURCE OF FUNDS:

(1) ASETF	<u>157,500</u>	
Total Alabama Environmental Quality Association	<u>157,500</u>	<u>157,500</u>

2. SYLACAUGA NURSES TRAINING SCHOOL

(a) Support of Other Educational Activities Program	58,000
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SOURCE OF FUNDS:

(1) ASETF	<u>58,000</u>	<u>58,000</u>
Total Sylacauga Nurses Training School	<u>58,000</u>	<u>58,000</u>

Section 5. COLLEGES, UNIVERSITIES AND SCHOOLS

I. Board of Trustees of University of Alabama

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A. The University

1. Operations and Maintenance .	32,638,109	32,814,276	65,452,385
2. Research, Extension and Public Service	1,867,010	54,834	2,121,844
3. Emergency Medical Services .	127,384	106,675	234,059
4. Center for Emotionally Disturbed Children	479,894	551,152	1,031,046
5. Nursing Scholarships	16,200		16,200
6. School of Mines	1,045,633	1,078,598	2,124,231
7. Family Practice Center	755,762	746,722	1,502,484
8. Alabama Museum of Natural History	150,546	53,337	203,883
9. College of Community Health Services Medical Education ...	2,196,007	1,463,812	3,659,819
10. Vocational Teacher Training	343,298	213,349	556,647
11. Cooperative University Upper Division Program	195,304	88,895	284,199
12. Rural Infant Stimulation Environment Program	126,419	72,116	198,535
13. High Risk Nursery	101,903		101,903
14. Safe State Program	156,531		156,531
15. Auxiliary Enterprises		<u>21,820,871</u>	<u>21,820,871</u>

SOURCE OF FUNDS:

(1) ASETF	40,200,000		
(2) Other Funds		<u>59,264,637</u>	
Total University of Alabama	<u>40,200,000</u>	<u>59,264,637</u>	<u>99,464,637</u>

B. University of Alabama in Birmingham

1. University College	13,710,458	13,917,748	27,628,206
2. School of Public and Allied Health	2,112,714	2,200,233	4,312,947
3. Regional Technical Institute ..	1,761,291	448,591	2,209,882
4. Joint Health Sciences	2,746,193	1,602,112	4,348,305
5. Student Nurses Loans	10,800		10,800
6. Nursing Scholarships	79,560		79,560
7. School of Nursing	3,067,182	2,670,186	5,737,368
8. Center for Labor Education and Research	256,676		256,676
9. Urban Research and Public Service	295,744		295,744
10. School of Medicine	15,844,604	51,587,998	67,432,602

11. School of Optometry	2,032,899	2,050,703	4,083,602
12. School of Dentistry	6,909,567	10,445,768	17,355,335
13. System Medical Education Program	476,496		476,496
14. Family and Other Primary Care Residency Program	1,534,744		1,534,744

The above appropriation shall be
expended for residency programs
as follows:

Anniston	241,789		
East End	241,789		
Jefferson County	241,789		
Montgomery	241,789		
Selma	325,799		
Gadsden	241,789		
15. Montgomery Internal Medicine	232,332		232,332
16. University Hospital	5,641,774	117,426,684	123,068,458
17. School of Engineering & Busi- ness	180,000		180,000
18. Public Health School	180,000		180,000
19. Department of Pediatrics	300,620		300,620
20. Health-Related Research and Public Service	2,733,213		2,733,213
21. Emergency Medical Training	156,053		156,063
22. Hypertension Research	378,540		378,540
23. Multipurpose Arthritis Center	378,540		378,540
24. Medical Genetics Program ..	180,000		180,000
25. Special Mental Health		3,222,284	3,222,284
26. Center for Developmental and Learning Disorders		544,707	544,707
27. Auxiliary Enterprises		<u>7,497,883</u>	<u>7,497,883</u>

SOURCE OF FUNDS:

(1) ASETF	61,200,000		
(2) Special Mental Health Fund .		3,766,991	
(3) Other Funds		<u>209,847,906</u>	
Total University of Alabama in Birmingham	<u>61,200,000</u>	<u>213,614,897</u>	<u>274,814,897</u>

C. University of Alabama in Huntsville

1. Operations and Maintenance .	5,949,459	6,835,058	12,784,517
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2. School of Nursing Scholarships	16,200		16,200
3. Center for Management and Economic Research	45,000		45,000
4. School of Primary Medical Care	2,608,561	443,955	3,052,516
5. Community Medicine Rural Preceptorship Program	27,000		27,000
6. Johnson Environmental and Energy Center	258,787	1,632,460	1,891,247
7. Ambulatory Care Center	613,596	810,449	1,424,045
8. School of Nursing	804,822	298,282	1,103,104
9. Paramedic Training	118,719		118,789
10. Alabama Solar Energy Center	257,856		257,856
11. Auxiliary Enterprises		<u>1,541,125</u>	

SOURCE OF FUNDS:

(1) ASETF	10,700,000		
(2) Other Funds		<u>11,561,329</u>	
Total University of Alabama in Huntsville	<u>10,700,000</u>	<u>11,561,329</u>	<u>22,261,329</u>

II. Board of Trustees of Alabama A & M University

A. Alabama A & M University

1. Operations and Maintenance .	8,482,500	10,354,005	18,836,505
2. Vocational Teacher Training .	247,500		247,500
3. Auxiliary Enterprises		3,143,590	3,143,590
4. Teacher Training Program ...	<u>400,000</u>		<u>400,000</u>

(To be approved by State Board of Education.)

SOURCE OF FUNDS:

(1) ASETF	9,130,000		
(2) Other Funds		<u>13,497,595</u>	
Total Alabama A & M University	<u>9,130,000</u>	<u>13,497,595</u>	<u>22,627,595</u>

III. Board of Trustees of Alabama State University

A. Alabama State University

1. Operations and Maintenance .	7,515,000	4,713,720	12,228,720
2. Auxiliary Enterprises		4,033,209	4,033,209
3. Teacher Training Program ...	<u>400,000</u>		<u>400,000</u>

(To be approved by State Board of Education.)

SOURCE OF FUNDS:

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(1) ASETF	7,915,000		
(2) Other Funds		<u>8,746,929</u>	
Total Alabama State University .	<u>7,915,000</u>	<u>8,746,929</u>	<u>16,661,929</u>
IV. State Board of Education			
A. Athens State College			
1. Operations and Maintenance .	1,500,000	1,023,268	2,523,268
2. Auxiliary Enterprises		<u>246,768</u>	<u>246,768</u>
SOURCE OF FUNDS:			
(1) ASETF	1,500,000		
(2) Other Funds		<u>1,270,036</u>	
Total Athens State College	<u>1,500,000</u>	<u>1,270,036</u>	<u>2,770,036</u>
V. Board of Trustees of Auburn University			
A. Auburn University			
1. Operations and Maintenance .	35,708,852	30,986,312	66,695,164
2 School of Nursing	382,500		382,500
3. Educational Television	339,041		339,041
4. Center for Vocational and Adult Education	481,500		481,500
5. Clinical Psychology	105,930		105,930
6. Engineering Experiment Station	806,449		806,449
7. Public Service, Research and Extension	347,508		347,508
8. Energy Research	248,220		248,220
9. Food Animal Health and Disease Research	180,000		180,000
10. Auxiliary Enterprises		<u>22,392,348</u>	<u>22,392,348</u>
SOURCE OF FUNDS:			
(1) ASETF	38,600,000		
(2) Other Funds		<u>53,378,660</u>	
Total Auburn University	<u>38,600,000</u>	<u>53,378,660</u>	<u>91,978,660</u>
B. Agricultural Experiment Station			
1. Operations and Maintenance .	7,400,000	9,403,617	16,803,617
SOURCE OF FUNDS:			
(1) ASETF	7,400,000		
(2) Other Funds		<u>9,403,617</u>	
Total Agricultural Experiment Station	<u>7,400,000</u>	<u>9,403,617</u>	<u>16,803,617</u>

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C. Cooperative Extension Service

1. Operations and Maintenance .	7,900,000	9,516,553	17,416,553
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SOURCE OF FUNDS:

(1) ASETF	7,900,000		
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(2) Other Funds		9,516,553	
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Total Cooperative Extension Service	7,900,000	9,516,553	17,416,553
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D. Auburn University at Montgomery

1. Operations and Maintenance .	5,560,739	4,538,222	10,098,961
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2. Montgomery Area Community Health Sciences Institute	46,861		46,861
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3. Public Service, Resrch and Extension (Center for Government and Public Affairs)	147,150	31,560	178,710
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4. School of Nursing	245,250	2,922	248,172
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5. Auxiliary Enterprises		1,271,754	1,271,754
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SOURCE OF FUNDS:

(1) ASETF	6,000,000		
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(2) Other Funds		5,844,458	
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Total Auburn University at Montgomery	6,000,000	5,844,458	11,844,458
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VI. Board of Trustees of Jacksonville State University

A. Jacksonville State University

1. Operations and Maintenance .	10,537,300	4,590,172	15,127,472
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2. Gadsden Program	436,500	29,158	565,658
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3. Nursing Scholarships	16,200		16,200
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4. United Cerebral Palsy Development Center for East Central Alabama	90,000		90,000
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5. Vocational Teacher Training .	90,000		90,000
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6. Auxiliary Enterprises		1,611,942	1,611,942
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SOURCE OF FUNDS:

(1) ASETF	11,170,000		
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(2) Other Funds		6,331,272	
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Total Jacksonville State University	11,170,000	6,331,272	17,501,272
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VII. Board of Trustees of Livingston State University

A. Livingston State University

1. Operations and Maintenance .	3,468,800	1,113,014	4,581,814
2. Nursing Scholarships	16,200		16,200
3. Auxiliary Enterprises		<u>1,749,676</u>	<u>1,749,676</u>

SOURCE OF FUNDS:

(1) ASETF	3,485,000		
(2) Other Funds		<u>2,862,690</u>	
Total Livingston State University	<u>3,485,000</u>	<u>2,862,690</u>	<u>6,347,690</u>

VIII. Board of Trustees of University of Montevallo

A. University of Montevallo

1. Operations and Maintenance .	5,453,899	3,240,820	8,694,719
2. School for Aphasic Children ..	201,059	17,207	218,266
3. Highway Safety Program	126,719		126,719
4. Communication Center	18,323	68,827	87,150
5. Auxiliary Enterprises		<u>2,606,540</u>	<u>2,606,540</u>

SOURCE OF FUNDS:

(1) ASETF	5,800,000		
(2) Other Funds		<u>5,933,394</u>	
Total University of Montevallo ..	<u>5,800,000</u>	<u>5,933,394</u>	<u>11,733,394</u>

IX. Board of Trustees of University of North Alabama

A. University of North Alabama

1. Operations and Maintenance .	7,083,800	5,258,248	12,342,048
2. Nursing School Scholarships .	16,200		16,200
3. Auxiliary Enterprises		<u>1,478,777</u>	<u>1,478,777</u>

SOURCE OF FUNDS:

(1) ASETF	7,100,000		
(2) Other Funds		<u>6,737,025</u>	
Total University of North Alabama	<u>7,100,000</u>	<u>6,737,025</u>	<u>13,837,025</u>

X. Board of Trustees of South Alabama

A. University of South Alabama

1. Operations and Maintenance .	10,457,893	10,130,432	20,588,325
2. Medical Research and Public Service	325,915		325,915

(Includes Statewide Medical Education, Ambulatory Care,

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Human and Clinical Nutrition
Program and Reproductive
Health Sciences Center

3. Family Practice Residency Program	519,300		519,300
4. College of Medicine	8,100,000	8,661,314	16,761,314
5. Medical Center Hospital	1,509,684	35,087,760	36,597,444
6. Newborn Growth and Development Program	72,000		72,000
7. Division of Allied Health	630,000	123,902	753,902
8. School of Nursing	540,000	241,903	781,903
9. Nursing Scholarships	16,200	5,900	22,100
10. Research, Public Service and Extension	82,258	41,301	123,559
11. Paramedic Training Program	123,750	70,801	194,551
12. Basic Medical Sciences	225,000		225,000
13. Birth Defect Genetic Center .	198,000		198,000
14. Auxiliary Enterprises		<u>4,637,461</u>	<u>4,637,461</u>

SOURCE OF FUNDS:

(1) ASETF	22,800,000		
(2) Other Funds		<u>59,000,774</u>	
Total University of South Alabama	<u>22,800,000</u>	<u>59,000,774</u>	<u>81,800,774</u>

XI. Board of Trustees of Troy State
University

A. Troy State University

1. Operations and Maintenance at Troy	6,467,600	4,702,289	11,169,889
2. Operations and Maintenance at Ft. Rucker/Dothan	870,000	1,266,724	2,136,724
3. Operations and Maintenance in Montgomery	225,000	1,625,065	1,850,065
4. Nursing Scholarships	32,400		32,400
5. Operations and Maintenance at Bay Minette	50,000	543,777	593,777
6. School of Nursing in Montgomery	225,000	20,047	245,047
7. Branch Campus at Phenix City	76,000	428,506	504,506
8. Auxiliary Enterprises		<u>3,943,007</u>	<u>3,943,007</u>

SOURCE OF FUNDS:

(1) ASETF	7,946,000		
(2) Other Funds		<u>12,529,415</u>	

Total Troy State University	<u>7,946,000</u>	<u>12,529,415</u>	<u>20,475,415</u>
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XII. Board of Trustees for Alabama Institute for Deaf and Blind

A. Alabama Institute for Deaf and Blind

1. Operations and Maintenance .	4,370,784	2,267,127	6,637,911
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B. Department of Adult Blind and Deaf

1. Special Technical Facility	1,191,392	2,340,572	3,531,964
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Industries for the Blind	<u>437,824</u>	<u>7,432,278</u>	<u>7,870,102</u>
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SOURCE OF FUNDS:

(1) ASETF	6,000,000		
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(2) Other Funds		<u>12,039,977</u>	
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Total Alabama Institute for Deaf and Blind	<u>6,000,000</u>	<u>12,039,977</u>	<u>18,039,977</u>
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Section 6. OTHER EDUCATIONAL APPROPRIATIONS

A. Governor's Education Program			1,500,000
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To State Department of Education - Board of Education with Governor's approval. For Basic Learning Skills Teams, Standard Schools Program, and Liability Insurance.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>		
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Total Governor's Education Program	<u>1,500,000</u>		<u>1,500,000</u>
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Section 7.

A. SPECIAL MENTAL HEALTH FUND

(1) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama \$3,222,284 to be expended under the programmatic area as shown under subsection 5-I-B on page 26.

(2) There is hereby appropriated from the Special Mental Health Trust Fund \$544,707 to be expended under the programmatic area as shown under subsection 5-I-B on page 26.

B. PUBLIC SCHOOL FUND

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100) of taxable property in this State for the support and maintenance of the public schools

and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution of 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 8.

The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this Act, whereupon the Comptroller, shall issue his warrant therefor. All other appropriations in this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 9.

That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect, or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 10.

The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 11.

This Act shall become effective on October 1, 1981.

SUBSTITUTE TABLED

On motion of Rep. Owens, the substitute offered by Rep. Hammett to the bill, H. 77 as amended, was tabled.

Yeas 57; Nays 40.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Cabaniss, Campbell, Carothers, Cates, Clark (G), Coburn, Cosby, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Gregg, Grimsley, Grouby, Harper (T), Harrison, Hines, Jackson, Kelley, Lewis, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Riddick, Sandusky, Sasser, Seibels, Smith (J), Smith (M), Starkey, Stewart, Turnham, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

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Nays:

Reps. Albright, Boles, Bowling, Brakefield, Buskey, Carter, Cheatwood, Cobb, Crow, Drinkard, Escott, Ford, Goodwin, Hall, Hammett, Harper (O),

Harvey, Higginbotham, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Laird, Letson, Mitchell, Naramore, Nevett, Patton, Rains, Ray, Reed, Roberts, Smith (C), Stout, Trammell, Turner, Warren, Whatley and Wyatt.

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AMENDMENT OFFERED

Rep. Dixon offered the following amendment to the bill, H. 77 as amended:

Amend House Bill 77 on page 17, lines 21-27 by striking these lines in their entirety and inserting in lieu thereof the following:

"(a) Financial Assistance Program	467,414,002
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SOURCE OF FUNDS:

(1) ASETF	436,737,517		
(2) Public School Fund		26,000,000	
(3) Local Funds		<u>4,676,485</u>	
Total Minimum Program and Public School Fund	<u>436,737,517</u>	<u>30,676,485</u>	<u>467,414,002</u>

Further amend House Bill 77 on page 18 lines 26-27 by striking these lines in their entirety and inserting in lieu thereof the following:

"For "Other Current Expenses" an amount not to exceed \$2,755.99 for each earned teacher unit but the total shall not exceed the sum of \$65,622,878.

Further amend House Bill 77 on page 34, line 8 by striking it in its entirety and inserting in lieu thereof the following:

"1. Operations and Maintenance	34,044,400	32,814,276	66,858,676"
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Further amend House Bill 77 on page 34, lines 32-34 by striking these lines in their entirety and inserting in lieu thereof the following:

"(1) ASETF	42,026,400		
(2) Other Funds		<u>59,264,637</u>	
Total University of Alabama	42,026,400	59,264,637	101,291,037"

Further amend House Bill 77 on page 35, line 4 by striking it in its entirety and inserting in lieu thereof the following:

"1. University College	13,851,630	13,917,748	27,769,378"
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Further amend House Bill 77 on page 36, lines 21-26 by striking them in their entirety and inserting in lieu thereof the following:

"(1) ASETF	63,975,600		
(2) Special Mental Health Fund .		3,766,991	
(3) Other Funds		<u>209,847,906</u>	
Total University of Alabama in Birmingham	<u>63,975,600</u>	<u>213,614,997</u>	<u>277,590,497"</u>

Further amend House Bill 77 on page 38, line 24 by striking it in its entirety and inserting in lieu thereof the following:

"1. Operations and Maintenance 37,333,874 30,986,312 68,320,186"

Further amend House Bill 77 on page 39, lines 8-10 by striking them in their entirety and inserting in lieu thereof the following:

"(1) ASETF 40,355,640

(2) Other Funds 53,378,660

Total Auburn University 40,355,640 53,378,660 93,734,300"

MOTION TO TABLE LOST

The motion offered by Rep. Owens to table the amendment offered by Rep. Dixon to the bill, H. 77 as amended, was lost.

Yeas 23; Nays 66.

Yeas:

Mr. Speaker, Adams (H), Barton, Biddle, Cabaniss, Carothers, Clark (G), Cosby, Dial, Gafford, Hines, Johnson (Roy), McMillan, Manley, Owens, Payne, Pegues, Reed, Sandusky, Turnham, Waggoner, Whatley and Zoghby.

—23

Nays:

Reps. Adams (C), Albright, Amari, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Carter, Cates, Cheatwood, Cobb, Coburn, Cooley, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, Moore, Naramore, Nevett, Olive, Parker, Patton, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Smith (C), Smith (M), Starkey, Stewart, Stout, Trammell, Venable, Warren, Williams, Willis and Wyatt.

—66

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Dixon to the bill, H. 77 as amended, and the amendment was adopted.

Yeas 86; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Howard, Jackson, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Smith (C), Smith (M), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—86

Nays:

Reps. Barton, Cabaniss, Johnson (Roy), Mitchell, Payne and Whatley.

—6

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 26. MOURNING THE DEATH OF MRS. LILLIAN N. BENTON.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 77 RESUMED

AMENDMENT OFFERED

Rep. Smith (J) offered the following amendment to the bill, H. 77 as amended:

Amend H. B. 77 in Section 3-20 on page 18, line 34 by deleting the figure "46,278,715" and inserting in lieu thereof the figure "47,278,715".

Further amend H. B. 77 on page 17, lines 23 & 27 by deleting the figure "433,737,569" and inserting in lieu thereof the figure "434,737,569"

Further amend on page 17, lines 21 & 27 by deleting the figure "464,414,054" and inserting in lieu thereof the figure "465,414,054".

Further amend in Section 6 on page 44, lines 4, 11, & 12 by deleting the figure "2,000,000" and inserting in lieu thereof the figure "1,000,000".

AMENDMENT TABLED

On motion of Rep. Owens, the amendment offered by Rep. Smith (J) to the bill, H. 77 as amended, was tabled.

Yeas 46; Nays 37.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Biddle, Blake, Boles, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cosby, Gafford, Grimsley, Grouby, Harper (O), Harper (T), Harrison, Hines, Holmes, Johnson (R. G.),

Laird, McMillan, Manley, Minus, Moore, Owens, Parker, Pegues, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Smith (C), Stewart, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams and Zoghby.

—46

Nays:

Reps. Albright, Barton, Bowling, Brakefield, Carter, Cheatwood, Cobb, Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Escott, Ford, Gilmer, Goodwin, Gregg, Hall, Harvey, Holley, Horn, Kelley, Letson, McKee, Naramore, Nevett, Patton, Penry, Rains, Roberts, Smith (J), Starkey, Turnham, Willis and Wyatt.

—37

AMENDMENT OFFERED

Rep. Holley offered the following amendment No. 1 to the bill, H. 77 as amended:

On page 14, lines 13 and 21, strike "65,468,726" and insert in lieu thereof "65,389,055"; on lines 15 and 21, strike "41,558,994" and insert in lieu thereof "41,479,323"

On page 19, lines 4, 6, and 7, strike "242,089,219" and insert in lieu thereof "258,319,506" in all places; on line 13, strike "14,878,968" and insert in lieu thereof "31,109,255"; on lines 17, 18, and 19, strike the words "two hundred forty-seven dollars and twenty cents (\$247.20)" and insert in lieu thereof "five hundred sixteen dollars (\$516.00)"; on line 24, strike "\$247.20" and insert in lieu thereof "\$516.00"; and delete lines 26 through 35 in their entirety and on page 20, delete lines 3 through 5.

On page 28, lines 16 and 31, strike "50,817,266" and insert in lieu thereof "49,971,416"; on line 18, strike "34,201,713" and insert in lieu thereof "34,091,384"; delete lines 19 through 25 in their entirety and renumber subsequent sections; on line 31, strike "34,937,234" and insert in lieu thereof "34,091,384."

On page 34 line 8, strike "35,044,400" and insert in lieu thereof "32,364,173" and strike "67,858,676" and insert in lieu thereof "65,178,449"; on lines 32 and 34, strike "43,026,400" and insert in lieu thereof "40,346,173"; on line 34, strike "102,291,037" and insert in lieu thereof "99,610,810."

On page 35, line 4, strike "14,851,630" and insert in lieu thereof "13,492,403" and strike "28,769,378" and insert in lieu thereof "27,410,151"; on line 16, strike "16,124, 859" and insert in lieu thereof "14,649,106" and strike "67,712,857" and insert in lieu thereof "66,237,104"; on line 18, strike "7,293,432" and insert in lieu thereof "6,625,934" and strike "17,739,200" and insert in lieu thereof "17,071,702"; on page 36, line 5, strike "5,955,206" and insert in lieu thereof "5,410,183" and strike "123,381,890" and insert in lieu thereof "122,836,867."; on lines 21 and 26, strike "64,975,600" and insert in lieu thereof "60,928,099"; on line 26, strike "278,590,497" and insert in lieu thereof "274,542,996."

On page 37, line 4, strike "6,216,639" and insert in lieu thereof "5,516,968" and strike "13,051,697" and insert in lieu thereof "12,352,026"; on lines 19 and 22, strike "11,232,000" and insert in lieu thereof "10,532,329"; on line 22, strike "22,793,329" and insert in lieu thereof "22,093,658"

On page 38, lines 15, 18, and 20, strike "1,508,000" and insert in lieu thereof "1,414,063"; on line 15, strike "2,531,268" and insert in lieu thereof "2,437,331"; on line 20, strike "2,778,036" and insert in lieu thereof "2,684,099."

On page 38, line 24, strike "38,333,874" and insert in lieu thereof "35,757,723" and strike "69,320,186" and insert in lieu thereof "66,744,035"; on page 39, lines 8 and 10, strike "41,355,640" and insert in lieu thereof "38,779,489"; on line 10, strike "94,734,300" and insert in lieu thereof "92,158,149."

On page 39, lines 12, 14, and 17, strike "7,768,800" and insert in lieu thereof "7,284,861"; on lines 12 and 17, strike "17,172,417" and insert in lieu thereof "16,688,478."

On page 39, lines 19, 21, and 23, strike "8,444,313" and insert in lieu thereof "7,918,295"; on lines 19 and 23, strike "17,960,866" and insert in lieu thereof "17,434,848."

On page 39, line 25, strike "5,807,535" and insert in lieu thereof "5,416,886" and strike "10,345,757" and insert in lieu thereof "9,955,108"; on page 40, lines 4 and 7, strike "6,271,200" and insert in lieu thereof "5,880,551"; on line 7 strike "12,115,658" and insert in lieu thereof "11,725,009."

On page 40, line 12, strike "11,031,250" and insert in lieu thereof "10,302,426" and strike "15,621,422" and insert in lieu thereof "14,892,598"; on lines 21 and 23 strike "11,700,000" and insert in lieu thereof "10,971,176"; on line 23, strike "18,031,272" and insert in lieu there "17,302,448."

On page 40, line 28, strike "3,632,400" and insert in lieu thereof "3,405,007" and strike "4,745,414" and insert in lieu thereof "4,518,021"; on lines 32 and 34, strike "3,650,400" and insert in lieu thereof "3,423,007"; on line 34, strike "6,513,090" and insert in lieu thereof "6,285,697."

On page 41, line 6, strike "5,730,728" and insert in lieu thereof "5,351,740" and strike "8,971,548" and insert in lieu thereof "8,592,560"; on lines 12 and 14, strike "6,084,000" and insert in lieu thereof "5,705,012"; on line 14, strike "12,017,394" and insert in lieu thereof "11,638,406."

On page 41, line 19, strike "7,423,200" and insert in lieu thereof "6,959,668" and strike "12,681,448" and insert in lieu thereof "12,217,916"; on lines 23 and 25, strike "7,441,200" and insert in lieu thereof "6,977,668"; on line 25, strike "14,178, 225" and insert in lieu thereof "13,714,693."

On page 41, line 30, strike "11,328,316" and insert in lieu thereof "10,483,549" and strike "21,458,748" and insert in lieu thereof "20,613,981"; on page 42, line 4, strike "8,639,377" and insert in lieu thereof "7,995,128" and strike "17,300,691" and insert in lieu thereof "16,656,442"; on lines 18 and 20, strike "23,903,568" and insert in lieu thereof "22,414,552"; and on line 20, strike "82,904,342" and insert in lieu thereof "81,415,326."

On page 42, line 26, strike "6,759,200" and insert in lieu thereof "6,336,324" and strike "11,461,489" and insert in lieu thereof "11,038,613"; on line 28, strike "926,250" and insert in lieu thereof "868,301" and strike "2,192,974" and insert in lieu thereof "2,135,025"; on line 30, strike "237,500" and insert in lieu thereof "222,641" and strike "1,862,565" and insert in lieu thereof "1,847,706"; on line 33, strike "53,200" and insert in lieu thereof "49,872" and strike "596,977" and insert in lieu thereof "593,649"; on page 43, line 4, strike "237,500" and insert in lieu thereof "222,641" and strike

"257,547" and insert in lieu thereof "242,688"; on line 5, strike "80,750" and insert in lieu thereof "75,698" and strike "509,256" and insert in lieu thereof "504,204"; on lines 8 and 10, strike "8,330,400" and insert in lieu thereof "7,811,477"; on line 10, strike "20,859,815" and insert in lieu thereof "20,340,892."

AMENDMENT TABLED

On motion of Rep. Owens, the amendment No. 1 offered by Rep. Holley to the bill, H. 77 as amended, was tabled.

Yeas 53; Nays 40.

Yeas:

Mr. Speaker, Adams (H), Amari, Bedsole, Bennett, Biddle, Boles, Bowling, Cabaniss, Campbell, Carothers, Cates, Clark (G), Coburn, Cosby, Daniels, Dial, Dixon, Gafford, Gilmer, Gregg, Grimsley, Grouby, Harper (T), Higginbotham, Hines, Lewis, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Ray, Sandusky, Sasser, Seibels, Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

—53

Nays:

Reps. Adams (C), Albright, Barton, Blake, Brakefield, Buskey, Carter, Cheatwood, Cobb, Cooley, Crow, Drinkard, Edwards, Escott, Ford, Goodwin, Hall, Harrison, Harvey, Holley, Holmes, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Mitchell, Naramore, Nevett, Patton, Rains, Reed, Riddick, Roberts, Smith (C), Stout, Turner, Warren and Wyatt.

—40

AMENDMENT OFFERED

Rep. Holley offered the following amendment No. 2 to the bill, H. 77 as amended:

On page 19, delete lines 26 through 35 in their entirety and on page 20, delete lines 3 through 5.

AMENDMENT TABLED

On motion of Rep. Owens, the amendment No. 2 offered by Rep. Holley to the bill, H. 77 as amended, was tabled.

Yeas 52; Nays 35.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cooley, Cosby, Daniels, Dial, Dixon, Edwards, Gafford, Grimsley, Grouby, Hall, Harper (T), Harvey, Higginbotham, Hines, Johnson (R. G.), Letson, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Pegues, Penry, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (J), Starkey, Turnham, Venable, Waggoner, Ward, Williams and Zoghby.

—52

Nays:

Reps. Albright, Blake, Boles, Bowling, Brakefield, Buskey, Carter, Cheatwood, Cobb, Crow, Drinkard, Escott, Ford, Gilmer, Goodwin, Harrison, Holley, Holmes, Howard, Jackson, Johnson (Roy), Kelley, Lewis, Mitchell, Naramore, Nevett, Patton, Rains, Smith (C), Stewart, Turner, Warren, Whatley, Willis and Wyatt.

—35

AMENDMENT OFFERED

Rep. Zoghby offered the following amendment to the bill, H. 77 as amended:

Amend H. B. 77 on page 41, line 27, by striking out Subsection X of Section 5 in its entirety and inserting in lieu thereof the following:

"X. BOARD OF TRUSTEES OF SOUTH ALABAMA

A. University of South Alabama

1. Operations and Maintenance .	11,462,630	10,130,432	21,593,062
2. Medical Research and Public Service	260,549		260,549
(Includes Statewide Medical Education, Ambulatory Care, Human, and Clinical Nutrition Program and Reproductive Health Sciences Center)			
3. Family Practice Residency Program	520,945		520,945
4. College of Medicine	8,512,059	8,661,314	17,173,373
5. Medical Center Hospital	1,049,366	35,087,760	36,137,126
6. Newborn Growth and Development Program	74,101		74,101
7. Division of Allied Health	706,351	123,902	830,253
8. School of Nursing	650,416	241,903	892,319
9. Nursing Scholarships	16,733	5,900	32,633
10. Research, Public Service and Extension	85,097	41,301	126,398
11. Paramedic Training Program	129,080	70,801	199,881
12. Basic Medical Sciences	253,378		253,378
13. Birth Defect Genetic Center .	182,863		182,863
14. Auxiliary Enterprises		4,637,461	4,637,461

SOURCE OF FUNDS:

(1) ASETF

(2) Other

59,000,774

Total University of South Alabama 23,903,568 59,000,774 82,904,342

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Horn, Howard, Johnson (R. G.), Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Nevett, Owens, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—77

Nay: Rep. Parker.

—1

AMENDMENT OFFERED

Rep. Adams (H) offered the following amendment to the bill, H. 77 as amended:

On page 14, lines 13 and 21, strike "65,468,726" and insert in lieu thereof "65,389,055"; on lines 15 and 21, strike "41,558,994" and insert in lieu thereof "41,479,323"

On page 19, lines 4, 6, and 7, strike "242,089,219" and insert in lieu thereof "254,089,219" in all places; on line 13, strike "14,878,968" and insert in lieu thereof "26,878,968"; on lines 17, 18, and 19, strike the words "two hundred forty-seven dollars and twenty cents (\$247.20)" and insert in lieu thereof "four hundred forty-six dollars (\$446.00)"; on line 24, strike "\$247.20" and insert in lieu thereof "\$446.00"; delete lines 26 through 35 in their entirety and on page 20, delete lines 3 through 5 in their entirety.

On page 28, lines 16 and 31, strike "50,817,266" and insert in lieu thereof "49,971,416"; on line 18, strike "34,201,713" and insert in lieu thereof "34,091,384"; delete lines 19 through 25 in their entirety and renumber subsequent sections; on line 31, strike "34,937,234" and insert in lieu thereof "34,091,384."

On page 34, line 8, strike "35,044,400" and insert in lieu thereof "33,104,997" and strike "67,858,676" and insert in lieu thereof "65,919,273"; on lines 32 and 34, strike "43,026,400" and insert in lieu thereof "41,086,997"; on line 34, strike "102,291,037" and insert in lieu thereof "100,351,634."

On page 35, line 4, strike "14,851,630" and insert in lieu thereof "13,868,098" and strike "28,769,378" and insert in lieu thereof "27,785,846"; on line 16, strike "16,124,859" and insert in lieu thereof "15,057,009" and strike "67,712,857" and insert in lieu thereof "66,645,007"; on line 18, strike "7,293,432" and insert in lieu thereof "6,810,433" and strike "17,739,200" and insert in lieu thereof "17,256,201"; on page 36, line 5, strike "5,955,206" and insert in lieu thereof "5,560,829" and strike "123,381,890" and insert in

lieu thereof "122,987,513"; on lines 21 and 26, strike "64,975,600" and insert in lieu thereof "62,046,842"; on line 26, strike "278,590,497" and insert in lieu thereof "275,661,739."

On page 37, line 4, strike "6,216,639" and insert in lieu thereof "5,710,360" and strike "13,051,697" and insert in lieu thereof "12,545,418"; on lines 19 and 22, strike "11,232,000" and insert in lieu thereof "10,725,721"; on line 22, strike "22,793,329" and insert in lieu thereof "22,287,050."

On page 38, lines 15, 18, and 20, strike "1,508,000" and insert in lieu thereof "1,440,027"; on line 15, strike "2,531,268" and insert in lieu thereof "2,463,295"; on line 20, strike "2,778,036" and insert in lieu thereof "2,710,063."

On page 38, line 24, strike "38,333,874" and insert in lieu thereof "36,469,780" and strike "69,320,186" and insert in lieu thereof "67,456,092"; on page 39, lines 8 and 10, strike "41,355,640" and insert in lieu thereof "39,491,546"; on line 10, strike "94,734,300" and insert in lieu thereof "92,870,206."

On page 39, lines 12, 14, and 17, strike "7,768,800" and insert in lieu thereof "7,418,623"; on lines 12 and 17, strike "17,172,417" and insert in lieu thereof "16,822,240."

On page 39, lines 19, 21, and 23, strike "8,444,313" and insert in lieu thereof "8,063,688"; on lines 19 and 23, strike "17,960,866" and insert in lieu thereof "17,580,241."

On page 39, line 25, strike "5,807,535" and insert in lieu thereof "5,524,862" and strike "10,345,757" and insert in lieu thereof "10,063,084"; on page 40, lines 4 and 7, strike "6,271,200" and insert in lieu thereof "5,988,527"; on line 7 strike "12,115,658" and insert in lieu thereof "11,832,985."

On page 40, line 12, strike "11,031,250" and insert in lieu thereof "10,503,876" and strike "15,621,422" and insert in lieu thereof "15,094,048"; on lines 21 and 23, strike "11,700,000" and insert in lieu thereof "11,172,626"; on line 23, strike "18,031,272" and insert in lieu thereof "17,503,898."

On page 40, line 28, strike "3,632,400" and insert in lieu thereof "3,467,859" and strike "4,745,414" and insert in lieu thereof "4,580,873"; on lines 32 and 34, strike "3,650,400" and insert in lieu thereof "3,485,859"; on line 34, strike "6,513,090" and insert in lieu thereof "6,348,549."

On page 41, line 6, strike "5,730,728" and insert in lieu thereof "5,456,493" and strike "8,971,548" and insert in lieu thereof "8,697,313"; on lines 12 and 14, strike "6,084,000" and insert in lieu thereof "5,809,765"; on line 14, strike "12,017,394" and insert in lieu thereof "11,743,159."

On page 41, line 19, strike "7,423,200" and insert in lieu thereof "7,087,790" and strike "12,681,448" and insert in lieu thereof "12,346,038"; on lines 23 and 25, strike "7,441,200" and insert in lieu thereof "7,105,790"; on line 25, strike "14,178,225" and insert in lieu thereof "13,842,815."

On page 41, line 30, strike "11,328,316" and insert in lieu thereof "10,717,046" and strike "21,458,748" and insert in lieu thereof "20,847,478"; on page 42, line 4, strike "8,639,377" and insert in lieu thereof "8,173,200" and strike "17,300,691" and insert in lieu thereof "16,834,514"; on lines 18

and 20, strike "23,903,568" and insert in lieu thereof "22,826,121"; and on line 20, strike "82,904,342" and insert in lieu thereof "81,826,895."

On page 42, line 26, strike "6,759,200" and insert in lieu thereof "6,453,209" and strike "11,461,489" and insert in lieu thereof "11,155,498"; on line 28, strike "926,250" and insert in lieu thereof "884,318" and strike "2,192,974" and insert in lieu thereof "2,151,042"; on line 30, strike "237,500" and insert in lieu thereof "226,748" and strike "1,862,565" and insert in lieu thereof "1,851,813"; on line 33, strike "53,200" and insert in lieu thereof "50,792" and strike "596,977" and insert in lieu thereof "594,569"; on page 43, line 4, strike "237,500" and insert in lieu thereof "226,748" and strike "257,547" and insert in lieu thereof "246,795"; on line 5, strike "80,750" and insert in lieu thereof "77,094" and strike "509,256" and insert in lieu thereof "505,600"; on lines 8 and 10, strike "8,330,400" and insert in lieu thereof "7,954,909"; on line 10, strike "20,859,815" and insert in lieu thereof "20,484,324."

AMENDMENT TABLED

On motion of Rep. Owens, the amendment offered by Rep. Adams (H) to the bill, H. 77 as amended, was tabled.

Yeas 56; Nays 34.

Yeas:

Mr. Speaker, Amari, Bedsole, Bennett, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Dixon, Edwards, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Harrison, Higginbotham, Hines, Holmes, Horn, Lewis, McKee, McMillan, Manley, Minus, Moore, Olive, Parker, Payne, Pegues, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Smith (J), Smith (M), Starkey, Stewart, Stout, Turnham, Venable, Waggoner, Ward, Williams and Zoghby.

—56

Nays:

Reps. Adams (C), Albright, Barton, Blake, Brakefield, Cheatwood, Cobb, Crow, Daniels, Dial, Drinkard, Hall, Hammett, Harper (O), Harper (T), Harvey, Holley, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Naramore, Nevett, Penry, Raines, Shavers, Smith (C), Turner, Warren, Whatley, Willis and Wyatt.

—34

AMENDMENT OFFERED

Reps. Horn and Reed offered the following amendment to the bill, H. 77 as amended:

Amend H. B. 77 by adding 2 million dollars each to Ala AUM University and the University of Alabama State in conditional money

SUBSTITUTE AMENDMENT OFFERED

Rep. Boles offered the following substitute amendment to the amendment offered by Reps. Horn and Reed to the bill, H. 77 as amended:

Amend H. B. 77 as amended by adding a conditional appropriation of \$1,000,000 to the Jr. College line item

SUBSTITUTE AMENDMENT TABLED

On motion of Rep. Harrison, the substitute amendment offered by Rep. Boles was tabled.

Yeas 57; Nays 3.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Bennett, Boles, Buskey, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Escott, Ford, Gilmer, Gregg, Grimsley, Grouby, Hall, Harper (T), Harrison, Harvey, Holmes, Horn, Howard, Jackson, McKee, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Pegues, Reed, Riddick, Sasser, Smith (J), Smith (M), Starkey, Stout, Turnham, Venable, Ward, Willis, Wyatt and Zoghby.

—57

Nays: Reps. Brakefield, Trammell and Waggoner.

—3

AMENDMENT TABLED

The question was then on the adoption of the amendment offered by Reps. Horn and Reed to the bill, H. 77 as amended, and on motion of Rep. Naramore, the amendment was tabled.

Yeas 37; Nays 29.

Yeas:

Reps. Adams (H), Barton, Biddle, Blake, Boles, Brakefield, Campbell, Carter, Cates, Clark (G), Cosby, Daniels, Dial, Dixon, Gilmer, Grouby, Hammett, Harvey, Laird, McKee, Manley, Minus, Mitchell, Naramore, Olive, Parker, Patton, Pegues, Sasser, Seibels, Starkey, Stewart, Stout, Trammell, Turnham, Venable and Wyatt.

—37

Nays:

Mr. Speaker, Albright, Bowling, Buskey, Cabaniss, Cheatwood, Crow, Drinkard, Escott, Ford, Hall, Harrison, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Letson, Nevett, Rains, Reed, Riddick, Smith (J), Ward, Warren, Whatley and Zoghby.

—29

AMENDMENT OFFERED

Rep. Whatley offered the following amendment to the bill, H. 77 as amended:

Amend H. B. 77 on page 32, Section 3, line(s) 6-17 by striking paragraph 33, subparagraph (a) lines 6-17 in its entirety and inserting in lieu thereof, the following:

33. Youth Services, Department of:

(a) Youth Services Program

9,785,491

The appropriation to the Department of Youth Services shall include a transfer to the state Personnel Department of \$17,682

SOURCE OF FUNDS:

(1) ASETF	8,104,835		
(2) Federal and Local Funds		<u>1,680,656</u>	
Total Department of Youth Services	<u>\$8,104,835</u>	<u>1,680,656</u>	<u>9,785,491</u>

(To be expended in accordance with Act No. 816, 1973 Regular Session).

Further amend H. B. 77 on page 39, Section 5, subsection V, paragraphs B and C, lines 11 through 23 by deleting lines 11 through 23 and inserting in lieu thereof the following:

B. Agricultural Experiment Station

1. Operations and Maintenance .	<u>8,068,800</u>	<u>9,403,617</u>	<u>17,472,417</u>
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SOURCE OF FUNDS:

(1) ASETF	8,068,800		
(2) Other Funds		<u>9,403,617</u>	
Total Agricultural Experiment Station	8,068,800	9,403,617	17,472,417

C. Cooperative Extension Service

1. Operations and Maintenance .	<u>8,744,313</u>	<u>9,516,553</u>	<u>18,260,866</u>
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SOURCE OF FUNDS:

(1) ASETF	8,744,313		
(2) Other Funds		<u>9,516,553</u>	
Total Cooperative Extension Service	<u>8,744,313</u>	<u>9,516,553</u>	<u>18,260,866</u>

AMENDMENT TABLED

On motion of Rep. Bedsole, the amendment offered by Rep. Whatley to the bill, H. 77 as amended, was tabled.

Yeas 53; Nays 25.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Blake, Buskey, Cabaniss, Campbell, Carothers, Clark (G), Cobb, Coburn, Cosby, Crow, Drinkard, Escott, Ford, Gafford, Goodwin, Grouby, Hall, Harper (T), Harrison, Holmes, Jackson, Johnson (R. G.), Kelley, Letson, McKee, Manley, Mitchell, Moore, Nevett, Olive, Parker, Patton, Pegues, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Smith (M), Starkey, Stewart, Trammell, Williams, Willis and Zoghby.

Nays:

Reps. Adams (H), Bowling, Brakefield, Carter, Cates, Cheatwood, Cooley, Daniels, Dixon, Grimsley, Harvey, Holley, Johnson (Roy), McMillan, Minus, Naramore, Owens, Penry, Smith (C), Smith (J), Turner, Turnham, Ward, Warren and Whatley.

—25

AMENDMENT OFFERED

Rep. Jackson offered the follwng amendment to the bill, H. 77 as amended:

Amend House Bill 77, Section 3A by inserting on page 14, line 3, a new subsection 13 and renumbering the subsequent subsections.

The new subsection 13 is to read as follows:

13. STUDY COMMISSION,
ALABAMA EDUCATION

(a) Advisory Services Program ..	100,000
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SOURCE OF FUNDS:

(1) ASETF	100,000
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Total Alabama Education Study Commission	100,000	100,000
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(to be expended in accordance with
Act No. 15, 1969 Special Session)

Also amend House Bill 77 on page 7, line 8 by deleting the figures 2,100,000 and inserting in lieu thereof the figures 2,000,000 and adjusting the totals accordingly.

MOTION TO TABLE LOST

The motion offered by Rep. Sasser to table the amendment offered by Rep. Jackson to the bill, H. 77 as amended, was lost.

Yeas 16; Nays 44.

Yeas:

Reps. Albright, Blake, Cabaniss, Cobb, Cooley, Edwards, Grimsley, Harvey, Holley, Johnson (Roy), McKee, McMillan, Manley, Pegues, Sasser and Seibels.

—16

Nays:

Mr. Speaker, Barton, Bedsole, Bowling, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cosby, Dial, Escott, Ford, Gafford, Gilmer, Grouby, Hall, Harper (T), Harrison, Holmes, Jackson, Johnson (R. G.), Minus, Mitchell, Naramore, Nevett, Olive, Owens, Parker, Penry, Rains, Roberts, Sandusky, Shavers, Smith (C), Smith (J), Stewart, Turner, Turnham, Venable, Warren and Zoghby.

—44

SUBSTITUTE AMENDMENT OFFERED

Rep. Holley offered the following substitute amendment to the amendment offered by Rep. Jackson to the bill, H. 77 as amended:

Amend House Bill 77, Section 3, A, 5, (d) on page 7, by deleting Line 8 and inserting in lieu thereof the following:

"of Department 2,240,000"

And amend Section 3, A, 5, (a) on Page 5 by inserting after Line 14 the following:

"Basic Skills 72,225"

And amend Section 3, A, 5, (b) on Page 6 by inserting after Line 10 the following:

"Driver Education Administration 50,000"

And further amend Section 3, A, 5, (d) on Page 7 by inserting after Line 8 the following:

"Kindergarten Administration 100,000"

And further amend Section 3, A, 5, (1) on Page 11 by inserting after Line 10 the following:

"(m) Leadership and Management Training 200,000

SOURCE OF FUNDS:

(1) ASETF	<u>200,000</u>	<u>200,000</u>
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Total Leadership and Management Training	<u>200,000</u>	<u>200,000</u>
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(n) Research and Planning		200,000
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SOURCE OF FUNDS:

(1) ASETF	<u>200,000</u>	<u>200,000</u>
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Total Research and Planning	<u>200,000</u>	<u>200,000"</u>
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And further amend Section 3, A, 5, (b) on Page 6 by deleting Line 18 and inserting in lieu thereof the following:

"Testing 700,000"

And further amend Section 3, A, 5 on Page 11 by deleting Lines 11 through 16 and inserting in lieu thereof the following:

"TOTAL DEPARTMENT OF
EDUCATION

SOURCE OF FUNDS:

(1) ASETF	29,182,725	
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(2) Federal and Local Funds		<u>57,668,633</u>
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GRAND TOTAL DEPARTMENT OF EDUCATION	29,182,725	57,668,633	86,851,358"
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And further amend Section 3, A, (33) on Page 32 by deleting Lines 6 through 17 and inserting thereof the following:

"33. YOUTH SERVICES, DEPARTMENT OF:

(a) Youth Services Program	9,423,266
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The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$17,682.

SOURCE OF FUNDS:

(1) ASETF	7,742,610		
(2) Federal and Local Funds		<u>1,680,656</u>	
Total Department of Youth Services	<u>7,742,610</u>	<u>1,680,656</u>	<u>9,423,266</u>

(To be expended in accordance with Act No. 816, 1973 Regular Session)."

SUBSTITUTE AMENDMENT TABLED

On motion offered by Rep. Jackson, the substitute amendment offered by Rep. Holley, was tabled.

Yeas 59; Nays 9.

Yeas:

Mr. Speaker, Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (G), Cobb, Cooley, Cosby, Dial, Dixon, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Harper (T), Harvey, Higginbotham, Jackson, Johnson (R. G.), Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Sandusky, Seibels, Smith (J), Smith (M), Stewart, Turner, Turnham, Venable, Waggoner, Ward and Zoghby.

—59

Nays:

Reps. Brakefield, Cheatwood, Hammett, Holley, Johnson (Roy), Naramore, Smith (C), Warren and Whatley.

—9

The question was then on the adoption of the amendment offered by Rep. Jackson to the bill, H. 77 as amended.

MOTION TO POSTPONE LOST

The motion offered by Rep. Holley to postpone consideration of the amendment offered by Rep. Jackson to the bill, H. 77 as amended, to the twelfth legislative day, was lost.

Yeas 29; Nays 38.

Yeas:

Reps. Albright, Blake, Bowling, Brakefield, Cabaniss, Cheatwood, Cobb, Cosby, Ford, Grimsley, Grouby, Hall, Hammett, Harper (O), Holley, Johnson (Roy), Kelley, Letson, McKee, McMillan, Manley, Owens, Pegues, Penry, Sasser, Seibels, Shavers, Smith (C) and Trammell.

—29

Nays:

Mr. Speaker, Barton, Bedsole, Biddle, Campbell, Carothers, Cates, Clark (G), Coburn, Dial, Dixon, Gafford, Gilmer, Gregg, Harper (T), Harrison, Holmes, Jackson, Minus, Mitchell, Moore, Nevett, Olive, Parker, Rains, Ray, Reed, Roberts, Sandusky, Smith (J), Smith (M), Stewart, Turner, Venable, Whatley, Williams, Willis and Zoghby.

—38

The question was again on the amendment offered by Rep. Jackson to the bill, H. 77 as amended.

MOTION TO POSTPONE TABLED

On motion of Rep. Jackson, the motion offered by Rep. Holley to postpone consideration of the amendment offered by Rep. Jackson to the bill, H. 77 as amended, to the eleventh legislative day, was tabled.

Yeas 37; Nays 30.

Yeas:

Mr. Speaker, Barton, Bedsole, Buskey, Campbell, Cates, Cheatwood, Clark (G), Dial, Drinkard, Escott, Gilmer, Gregg, Harper (T), Harrison, Horn, Laird, McMillan, Manley, Minus, Mitchell, Nevett, Olive, Owens, Parker, Ray, Reed, Roberts, Sandusky, Smith (M), Stewart, Turner, Turnham, Warren, Whatley, Willis and Zoghby.

—37

Nays:

Reps. Albright, Blake, Boles, Bowling, Brakefield, Carter, Cobb, Cooley, Cosby, Crow, Dixon, Edwards, Ford, Grimsley, Hall, Hammett, Harper (O), Harvey, Holley, Johnson (Roy), Kelley, McKee, Naramore, Pegues, Penry, Sasser, Shavers, Smith (C), Stout and Trammell.

—30

AMENDMENT ADOPTED

The question was again on the adoption of the amendment offered by Rep. Jackson to the bill, H. 77 as amended, and the amendment was adopted.

Yeas 39; Nays 28.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Buskey, Carter, Cates, Clark (G), Dial, Dixon, Drinkard, Escott, Gilmer, Grimsley, Harper (T), Harrison,

Horn, Jackson, Letson, McMillan, Minus, Mitchell, Naramore, Olive, Parker, Penry, Ray, Reed, Roberts, Sandusky, Smith (M), Turner, Turnham, Venable, Warren, Williams, Willis and Zoghby.

—39

Nays:

Reps. Albright, Blake, Brakefield, Cabaniss, Cheatwood, Cobb, Cooley, Cosby, Crow, Ford, Hall, Hammett, Harvey, Holley, Johnson (Roy), Kelley, McKee, Manley, Owens, Pegues, Rains, Sasser, Shavers, Smith (C), Stewart, Stout, Trammell and Whatley.

—28

AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following amendment No. 1 to the bill, H. 77 as amended:

On page 17, lines 23 and 27, strike "433,737,569" and insert in lieu thereof "432,269,383" and on lines 21 and 27, strike "464,414,054" and insert in lieu thereof "462,945,868."

On page 18, line 26, strike "\$2630" and insert in lieu thereof "\$2568.34" and on line 27, strike "\$62,622,930" and insert in lieu thereof "\$61,154,744."

On page 19, lines 4, 6, and 7, strike "242,089,219" in all places and insert in lieu thereof "243,557,167."

On page 20, line 25, strike "7,600,000" and insert in lieu thereof "9,500,000"; on line 29, after the word "hundred" insert the word "fifty" and strike "(\$200)" and insert in lieu thereof "(\$250)" and at the end of line 30, insert the word "fifty" and on line 31 strike "(\$200)" and insert in lieu thereof "(\$250)."

On page 22, line 19, strike "18,852,234" and insert in lieu thereof "18,785,641"; on page 23, line 8, strike "2,630" and insert in lieu thereof "\$2568.34"; on line 9 strike "\$2,840,400" and insert in lieu thereof "\$2,773,807."

On page 23, line 13, strike "29,725,460" and insert in lieu thereof "29,620,453"; on page 24, line 8, strike "2,630" and insert in lieu thereof "\$2568.34"; on line 9 strike "\$4,478,890" and insert in lieu thereof "\$4,373,883."

On page 24, line 14, strike "11,346,530" and insert in lieu thereof "11,306,451"; on line 28, strike "\$2,630" and insert in lieu thereof "\$2568.34"; on line 29 strike "\$1,709,500" and insert in lieu thereof "\$1,669,421."

On page 25, line 3, strike "57,525,530" and insert in lieu thereof "57,325,135"; on line 17, strike "\$2,630" and insert in lieu thereof "\$2568.34"; on line 18, strike "\$8,547,500" and insert in lieu thereof "8,347,105."

On page 26, line 3, strike "5,820,529" and insert in lieu thereof "5,800,551"; on line line 20, strike "\$2,630" and insert in lieu thereof "\$2568.34"; on line 21, strike "852,120" and insert in lieu thereof "\$832,142."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sandusky, Sasser, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—86

AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following amendment No. 2 to the bill, H. 77 as amended:

On page 17, lines 23 and 27, strike "433,737,569" and insert in lieu thereof "431,880,311" and on lines 21 and 27, strike "464,414,054" and insert in lieu thereof "462,556,796."

On page 18, line 26, strike "\$2630" and insert in lieu thereof "\$2,552" and on line 27, strike "\$62,622,930" and insert in lieu thereof "\$60,765,672."

On page 19, lines 4, 6, and 7, strike "242,089,219" in all places and insert in lieu thereof "243,909,856."

On page 22, line 19, strike "18,852,234" and insert in lieu thereof "18,767,994"; on page 23, line 8, strike "\$2,630" and insert in lieu thereof "\$2,552"; on line 9 strike "\$2,840,400" and insert in lieu thereof "\$2,756,160."

On page 23, line 13, strike "29,725,460" and insert in lieu thereof "29,592,626"; on page 24, line 8, strike "\$2,630" and insert in lieu thereof "\$2,552"; on line 9, strike "\$4,478,890" and insert in lieu thereof "\$4,346,056."

On page 24, line 14, strike "11,346,530" and insert in lieu thereof "11,295,830"; on line 28, strike "\$2,630" and insert in lieu thereof "\$2,552"; on line 29, strike "\$1,709,500" and insert in lieu thereof "\$1,658,800."

On page 25, line 3, strike "57,525,530" and insert in lieu thereof "57,272,030"; on line 17, strike "\$2,630" and insert in lieu thereof "\$2,552"; on line 18, strike "\$8,547,500" and insert in lieu thereof "\$8,294,000."

On page 26, line 3, strike "5,820,529" and insert in lieu thereof "8,162,440"; on line 5, strike "324" and insert in lieu thereof "457"; on lines 6, 7, and 8, delete "or other teacher units as approved by the local Board of Education"; on line 12, strike "\$4,947,391," and insert in lieu thereof "\$6,966,530"; on line 16, strike "50" and insert in lieu thereof "71" and strike "\$821,400" and insert in lieu thereof "\$1,166,388"; on line 17, strike "225" and insert in lieu thereof "317" and strike "3,460,950" and insert in lieu thereof "4,876,094"; on line 18, strike "49" and insert in lieu thereof "69" and strike "665,041" and insert in lieu thereof "924,048"; on line 19, strike "324" and insert in lieu thereof "457" and strike "\$4,947,391" and insert in lieu

thereof "\$6,966,530"; on line 20, strike "\$2,630" and insert in lieu thereof "\$2,552"; on line 21, strike "\$852,120" and insert in lieu thereof "\$1,166,264"; and on line 23 strike "\$21,018" and insert in lieu thereof "\$29,646."

AMENDMENT TABLED

On motion of Rep. Owens, the amendment No. 2 offered by Rep. Johnson (Roy) to the bill, H. 77 as amended, was tabled.

Yeas 44; Nays 35.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bennett, Biddle, Campbell, Carter, Cates, Clark (G), Cosby, Dixon, Gafford, Gilmer, Grouby, Hammett, Harper (T), Harrison, Harvey, Hines, Kelley, McKee, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Ray, Sandusky, Sasser, Seibels, Smith (M), Starkey, Stewart, Stout, Turner, Venable, Ward, and Zoghby.

—44

Nays:

Reps. Albright, Bedsole, Blake, Boles, Bowling, Brakefield, Cheatwood, Cobb, Coburn, Cooley, Crow, Drinkard, Escott, Goodwin, Gregg, Hall, Harper (O), Higginbotham, Holley, Howard, Johnson (R. G.), Johnson (Roy), Laird, Letson, McMillan, Mitchell, Nevett, Payne, Penry, Rains, Reed, Roberts, Smith (C), Williams and Willis.

—35

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Pearson:

S. 31. To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 31. Ways and Means.

BILLS ON THIRD READING RESUMED

And the bill, H. 77 as amended, was read a third time at length and passed.

Yeas 87; Nays 11.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Horn, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—87

Nays:

Reps. Brakefield, Buskey, Cheatwood, Escott, Holley, Holmes, Nevett, Rains, Stout, Warren and Wyatt.

—11

MOTION TO SUSPEND RULES

Rep. Owens offered the motion to suspend the rules in order to send the bill, H. 77 as amended, to the Senate.

DIVISION OF THE QUESTION

Rep. Wyatt called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES ADOPTED

The question was then on the motion offered by Rep. Owens to suspend the rules and the motion was adopted.

Yeas 83; Nays 14.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (T), Harrison, Harvey, Higginbotham, Hines, Horn, Jackson, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—83

Nays:

Reps. Albright, Brakefield, Buskey, Cheatwood, Cobb, Escott, Goodwin, Holley, Holmes, Johnson (Roy), Nevett, Turner, Warren and Wyatt.

—14

And the bill, H. 77 as amended, was ordered sent to the Senate without engrossment.

RESOLUTIONS

The following resolution was introduced:

By Rep. Payne:

H. J. R. 27. MOURNING THE DEATH OF MR. ARDIS EDMUND McCANTS, FORMER LONGTIME EMPLOYEE OF THE BIRMINGHAM NEWS.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama notes the death of Mr. Ardis Edmund McCants of Trussville, Alabama, on July 26, 1981, at the age of 65; and

WHEREAS, a native of Hartford in Geneva County, Alabama, Mr. McCants also was a former resident of Tallahassee, Florida, and had attended Emory University in Atlanta, Georgia, where he was a member of Kappa Alpha Order; and

WHEREAS, he was a retired Lieutenant Commander in the United States Naval Reserve who had served in the Pacific Theater for more than three years during World War II; and

WHEREAS, a veteran newsman, Mr. McCants was associated with newspapers in Gadsden, Dothan, Anniston, Cedartown, Georgia, and Atlanta, and was an employee of the Birmingham News for some 20 years, retiring as Copy Editor in 1978; and

WHEREAS, he was a former president of the Alabama Associated Press Association, a member of the Society of Professional Journalists, Sigma Delta Chi and other professional organizations; and

WHEREAS, Mr. McCants was a longtime and faithful member of the First United Presbyterian Church of Trussville, serving as a ruling elder at the time of his death; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Ardis Edmund McCants of Trussville, Alabama, and extend our most heartfelt sympathy to his wife, Mrs. Mary Herndon McCants, their son, Donald Leslie McCants, and daughters, Mrs. Laura Reddick and Mrs. Elizabeth Hughins, to whom copies of this resolution shall be sent.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 27, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Escott:

H. R. 28. COMMENDING REVEREND THEO BAILEY.

Also:

By Rep. Escott:

H. R. 29. COMMENDING MR. AND MRS. JAMES JOHNSON FOR EXTRAORDINARY COMMUNITY SERVICE.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Pearson, Proctor, Little, Gulledge, Miller, Teague, Denton, Smith, Goodwin, McDonald, Lemaster, Taylor and Parsons:

S. 34. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 34. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Pearson, Higginbotham, Kirkland, Martin, Keener, Barron, White, Teague, Bailey, St. John and Vacca:

S. 32. To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented

or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 32, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith the House without engrossment:

By Mr. Pearson:

S. 33. Providing for a decrease in the 1980-1981 appropriation to the teachers' retirement system; appropriating this amount as a portion of the state funding to the teachers' retirement system for the 1981-1982 fiscal year, in addition to all other sums hereinafter appropriated therefor for such 1981-1982 fiscal year.

Also:

By Messrs. deGraffenried, Gullledge and Callahan:

S. 14. To appropriate \$250,000.00 from the state general fund to the state oil and gas board for the fiscal year ending September 30, 1982 for the general operations of the board.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 33. Ways and Means.

S. 14. Ways and Means.

BILLS ON THIRD READING RESUMED

And the bill:

H. 78. Providing for a decrease in the 1980-1981 appropriation to the teachers' retirement system; appropriating this amount as a portion of the state funding to the teachers' retirement system for the 1981-1982 fiscal year, in addition to all other sums hereinafter appropriated therefor for such 1981-1982 fiscal year.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 4.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Nevett, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sandusky, Sasser, Shavers, Smith (J), Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams and Willis.

—70

Nays: Reps. Holley, Horn, Johnson (Roy) and Wyatt.

—4

MOTION TO ADJOURN LOST

The motion offered by Rep. Holley that the House adjourn until 1:00 o'clock p.m., Tuesday, August 11, 1981, was lost.

Yeas 9; Nays 66.

Yeas:

Reps. Boles, Buskey, Cheatwood, Cobb, Holley, Johnson (Roy), Rains, Turner and Wyatt.

Nays:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Crow, Dixon, Drinkard, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (T), Harvey, Hines, Johnson (R. G.), Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Nevett, Olive, Owens, Parker, Payne, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Shavers, Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Venable, Waggoner, Ward, Warren, Williams, Willis and Zoghby.

—66

BILLS ON THIRD READING RESUMED

And the bill:

H. 79. To provide that beginning with the 1981-82 school year driver education shall not be a requirement for graduation; to provide that county and city boards of education may offer driver education subject to such rules and regulations as the state board of education may adopt; and to repeal Section 16-40-5 of the Code of Alabama 1975, relating to driver education requirements and conflicting laws.

Was taken up.

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Johnson (Roy) to indefinitely postpone the bill, H. 79, was lost.

Yeas 16; Nays 54.

Yeas:

Reps. Bedsole, Blake, Bowling, Cheatwood, Crow, Escott, Hall, Harper (O), Holley, Johnson (Roy), McMillan, Nevett, Rains, Smith (C), Turner and Warren.

16

Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Biddle, Brakefield, Cabaniss, Campbell, Carter, Cates, Clark (G), Cooley, Cosby, Daniels, Dixon, Edwards, Gafford, Gilmer, Gregg, Grouby, Harper (T), Harrison, Harvey, Hines, Johnson (R. G.), Kelley, Laird, McKee, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Pegues, Reed, Riddick, Roberts, Sandusky, Sasser, Smith (J), Smith (M), Stewart, Stout, Trammell, Venable, Waggoner, Ward, Whatley, Williams, Wyatt and Zoghby.

—54

And the bill, H. 79, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 21.

Yeas:

Mr. Speaker, Adams (C), Barton, Biddle, Bowling, Brakefield, Cabaniss, Campbell, Carter, Cates, Clark (G), Cooley, Cosby, Daniels, Dixon, Edwards, Gafford, Gilmer, Gregg, Grouby, Harper (T), Harrison, Harvey, Hines, Howard, Kelley, Laird, McKee, Manley, Minus, Mitchell, Olive, Owens, Parker, Patton, Pegues, Reed, Riddick, Roberts, Sandusky, Sasser, Smith (M), Stewart, Stout, Venable, Ward, Warren, Whatley, Wyatt and Zoghby.

—50

Nays:

Reps. Albright, Bedsole, Blake, Buskey, Cheatwood, Cobb, Crow, Escott, Grimsley, Hall, Harper (O), Holley, Johnson (R. G.), Johnson (Roy), McMillan, Moore, Nevett, Rains, Turner, Williams and Willis

—21

MOTION TO ADJOURN LOST

The motion offered by Rep. Cooley that the House adjourn until 1:00 o'clock p.m., Tuesday, August 11, 1981, was lost.

BILLS ON THIRD READING RESUMED

And the bill:

H. 76. (With Amendment): To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1983, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses

of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by four-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 76, page 4, line 7, by striking the words "a quorum present" and inserting in lieu thereof the following: "all the members elected to that house"

And the amendment was adopted.

Yeas 53; Nays 1.

Yeas:

Reps. Albright, Barton, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carothers, Carter, Clark (G), Cobb, Cooley, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harrison, Holley, Johnson (R. G.), Johnson (Roy), Laird, Letson, McKee, Minus, Mitchell, Naramore, Owens, Parker, Patton, Ray, Reed, Riddick, Roberts, Sasser, Smith (J), Stewart, Trammell, Turner, Turnham, Venable, Ward, Whatley, Williams and Willis.

—53

Nay: Rep. Rains.

—1

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment to the bill, H. 76 as amended:

Amend H. 76 as follows:

On page 1, line 11, delete the language "January 1, 1983" and insert in lieu thereof:

the adoption of this amendment

On page 2, line 3, delete the language "January 1, 1983" and insert in lieu thereof:

the adoption of this amendment

On page 3, line 22, delete the language "January 1, 1983" and insert in lieu thereof:

the adoption of this amendment

On page 3, line 29, delete the language "January 1, 1983" and insert in lieu thereof:

the adoption of this amendment

On page 4, lines 34 and 35, delete the language "at the first statewide primary, or general election after" and insert in lieu thereof:

on the first Tuesday after

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 68; Nays 1.

Yeas:

Reps. Adams (H), Amari, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (G), Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harrison, Harvey, Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Williams, Willis, Wyatt and Zoghby.

—68

Nay: Rep. Rains.

—1

MOTION TO ADJOURN LOST

The motion offered by Rep. Rains that the House adjourn until 1:00 o'clock p.m., Tuesday, August 11, 1981, was lost.

Yeas 32; Nays 48.

Yeas:

Reps. Albright, Amari, Bennett, Blake, Brakefield, Buskey, Cheatwood, Cooley, Edwards, Escott, Gilmer, Gregg, Hall, Harper (O), Harrison, Harvey, Higginbotham, Holley, Horn, Howard, Jackson, Johnson (Roy), Moore, Nevett, Olive, Parker, Pegues, Rains, Stewart, Trammell, Whatley and Willis.

—32

Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bowling, Cabaniss, Carter, Cates, Clark (G), Cosby, Crow, Dial, Dixon, Drinkard, Ford, Gafford, Goodwin, Grimsley, Grouby, Harper (T), Hines, Holmes, Johnson (R. G.), Kelley, Laird, Letson, McKee, McMillan, Manley, Minus, Mitchell, Owens,

Payne, Penry, Ray, Reed, Roberts, Sandusky, Seibels, Smith (M), Stout, Turner, Venable, Ward, Warren, Wyatt and Zoghby.

—48

H. 76 RESUMED
AMENDMENT OFFERED

Rep. McCorquodale offered the following amendment to the bill, H. 76 as amended:

In the SYNOPSIS, page 1, line 31, add the following language:

The proposed amendment further provides that if a state of proration is ever declared by the governor to exist in either the general fund or the special educational trust fund, then the legislature shall automatically convene 14 days following such declaration into special session for the sole purpose of eliminating the proration status; and providing further that each member shall serve without pay at any such special session.

In the title, page 2, line 32, strike the period and include the following language:

; and (f) providing that if a state of proration is ever declared by the governor to exist in either the general fund or the special educational trust fund, then the legislature shall automatically convene 14 days following such declaration into special session for the sole purpose of eliminating the proration status; and providing further that each member shall serve without pay at any such special session.

At the end of Section 1, immediately following line 32 on page 4, include the following new subparagraph (G):

(G) It is further provided that if a state of proration is ever declared by the governor to exist in either the general fund or the special educational trust fund, then the legislature shall automatically convene 14 days following such declaration into special session for the sole purpose of eliminating the proration status; and providing further that each member shall serve without pay at any such special session.

CO-SPONSOR ADDED

Rep. Zoghby was added as co-sponsor to the bill, H. 76.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:15 A.M. on August 6, 1981.

H. J. R. 2

H. J. R. 4

H. J. R. 6

H. J. R. 8

H. J. R. 10

H. J. R. 11

Delivered to the Governor at 1:55 P.M. on August 6, 1981.

H. J. R. 13

H. J. R. 17

H. J. R. 18

H. J. R. 22

H. J. R. 26

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Rains and pursuant to the resolution, H. R. 24, heretofore adopted, the House adjourned until 1:00 o'clock p.m., Tuesday, August 11, 1981.

Yeas 49; Nays 38.

Yeas:

Reps. Albright, Amari, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cheatwood, Cobb, Coburn, Cooley, Crow, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Hail, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Johnson (Roy), Nevett, Olive, Parker, Pegues, Rains, Reed, Sandusky, Sasser, Smith (M), Starkey, Stewart, Trammell, Turner, Waggoner, Whatley, Willis and Wyatt.

—49

Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Biddle, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cosby, Dial, Dixon, Gafford, Grimsley, Grouby, Hines, Johnson (R. G.), Kelley, McKee, McMillan, Manley, Minus, Mitchell, Moore, Payne, Ray, Roberts, Seibels, Smith (C), Stout, Turnham, Venable, Ward, Warren, Williams and Zoghby.

—38

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 11, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Fred Zeigler, Jr., Minister, Fort Deposit United Methodist Church, Fort Deposit, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

LEAVES OF ABSENCE

At the request of Rep. Stewart, leave of absence was granted for Rep. Sandusky, due to illness in the family.

At the request of Rep. Smith (M), leave of absence was granted for Rep. Gregg.

At the request of Rep. Owens, leave of absence was granted for Rep. Johnson (Roy).

At the request of Rep. McCorquodale, leave of absence was granted for Rep. Laird.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 30. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Tuesday, August 11, 1981, we adjourn to meet again on Wednesday, August 12, 1981; when we adjourn on Wednesday, August 12, we adjourn to meet again on Thursday, August 13, 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 30, was adopted.

Also:

By Rep. Manley:

H. R. 31. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Tuesday, August 11, 1981, we adjourn to meet again on Wednesday, August 12, 1981, at 3:00 p.m.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 31, was adopted.

Also:

By Rep. Manley:

H. J. R. 32. RELATING TO THE PRINTING OF THE JOURNALS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the printed Journals of the Extraordinary Session of 1981 be bound with the printed Journals of any future special sessions of 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 32, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Carter, leave of absence was granted for Rep. Roberts.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Edwards to suspend the rules in order to take up out of order the third reading of the bill, H. 23, was lost, lacking a four-fifths vote.

Yeas 26; Nays 12.

Yeas:

Reps. Barton Blake, Boles, Brakefield, Buskey, Coburn, Cosby, Edwards, Ford, Gafford, Goodwin, Grouby, Harper (O), Holley, McKee, Mitchell, Olive, Penry, Rains, Ray, Reed, Smith (C), Venable, Ward, Willis and Zoghby.

—26

Nays:

Reps. Campbell, Cheatwood, Clark (W), Gilmer, Hammett, Higginbotham, Langford, Manley, Nevett, Parker, Payne and Shavers.

—12

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Smith (C), Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 33. EXPRESSING APPRECIATION TO THE CLANTON, ALABAMA, JAYCEES.

WHEREAS, Alabama's peach industry is a source of great pride to all Alabamians and of such magnitude as to contribute enormously to the economy of our entire state; and

WHEREAS, Alabama's Chilton County peaches, shipped nationwide, are famous for their flavor and texture, and are considered unexcelled by those produced in any other area; and

WHEREAS, the Clanton, Alabama, Jaycees' recent gift of Chilton County peaches to members of the Legislature was most gratefully received and served once again to reaffirm our certainty that these peaches are indeed the finest in the world; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are most grateful to the Clanton, Alabama, Jaycees for their generosity and extend our deep and sincere appreciation for their thoughtful act of kindness.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Robert West, President, on behalf of the entire membership of the Clanton Jaycees.

On motion of Rep. Smith (C), the rules were suspended and the resolution, H. J. R. 33, was adopted.

Also:

By Reps. Campbell, Crow, Willis, Dial and Bennett:

H. J. R. 34. CONGRATULATING DR. THERON MONTGOMERY, PRESIDENT OF JACKSONVILLE STATE UNIVERSITY.

WHEREAS, the Alabama Legislature is pleased to note the selection of Dr. Theron Montgomery as President of Jacksonville State University whose chief administrative position became effective July 1, 1981; and

WHEREAS, a native South Carolinian, Dr. Montgomery received his undergraduate degree from Wofford College, and both his Masters degree and Ph.D. degree, in Sociology, from Duke University; and

WHEREAS, Dr. Montgomery has served Jacksonville State University since 1951 as a Professor of Sociology, as Dean of the College and, since 1971, as Vice President for Academic Affairs; and

WHEREAS, an Episcopalian and a Rotarian, Dr. Montgomery also is a member of numerous educational and professional organizations which he has served in various capacities of leadership through the years; and

WHEREAS, Dr. Montgomery is a veteran of World War II who served in both the Pacific and European Theaters; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we must highly recommend Dr. Theron Montgomery on his long and prestigious association with Jacksonville State University and congratulate him on his Presidency of our State's third largest university.

BE IT FURTHER, That a copy of this resolution be sent to Dr. Montgomery that he may know of our warm sincere praise and high regard.

On motion of Rep. Campbell, the rules were suspended and the resolution, H. J. R. 34, was adopted.

BILLS ON SECOND READING

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 106. A bill to amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in excess of the rate of interest provided by statute shall be deposited in the general fund.

H. 25. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

S. 14. To appropriate \$250,000.00 from the state general fund to the state oil and gas board for the fiscal year ending September 30, 1982 for the general operations of the board.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 31. (With Substitute): To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 32. To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

The above bill was read a second time at length as required by the Constitution.

H. 124. Relating to the legislative process in enacting certain appropriation acts; (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the state, for the payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this act prohibiting final passage of certain bills in either house may be made inapplicable by four-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of this act prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in this act shall be construed as requiring the legislature to make any appropriation not otherwise required by the Constitution to be made, and (f) setting a termination date.

H. 111. Relating to the legislative process; giving certain priority to certain state government appropriation bills during each regular session of the legislature.

H. 120. Providing for isolation of the appropriations bills for the education and general operations of state government for the following fiscal year during the first twelve legislative days of each regular session and authorizing the legislature to alter such isolation schedule.

H. 89. To amend Section 1 and 2 of Act No. 81-700, H. 482 of the 1981 Regular Session of the Legislature prescribing certain procedures governing the sale or leasing of public lands belonging to the state or any of its agencies or departments so as to exempt the State Docks Department from certain advertising procedures prescribed therein.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 116. To amend Section 16-11-3 of the Code of Alabama 1975 relating to the appointment of members of the board of education by the municipal governing body, so as to provide that by local law the legislature may provide that such members may be elected by the qualified voters as prescribed by such local law.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 108. Relating to Lawrence County; providing that the payment of an expense allowance (in the amount) of \$100.00 per month being paid by the County Commission to the members of the Board of Education shall be discontinued and thereafter such payment shall be paid from the public school funds.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 51. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

H. 28. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial

census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

H. 29. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

H. 30. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 31. (With Amendment): To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 52. To establish the salaries for the following officers of Jefferson County, Alabama: The President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide that the salaries as fixed by this Act shall take effect at the beginning of the next terms of office of said officers and the beginning of each term of office of said officers hereafter.

H. 53. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

H. 114. A bill to supplement the salaries of the Circuit Judges of the Tenth Judicial Circuit.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 54. (With Amendment): To increase from fifty dollars per month to two hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 98. Relating to Jefferson County; fixing the salary of the deputy probate judge.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 112. (With Substitute): To provide members of the City of Birmingham's governing body with an expense allowance for attending business of the city within the municipal corporate limits.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 113. To repeal Act No. 104, 1964 Regular Session (Acts of 1964, p. 166), and Act No. 129, 1965 Regular Session (Acts of 1965, p. 194), which relate to certain expense allowances for members of city governing bodies having a population of 300,000 or more according to the last federal census.

H. 117. To amend Section 3.05 of Act No. 452, Regular Session 1955 (Acts 1955, p. 1004), as amended, providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to further provide for the compensation of the council.

H. 121. To provide funding for Birmingham-Jefferson County Transit Authority, a public corporation organized under Act No. 993 of the 1971 Regular Session of the Legislature of Alabama (the "Transit Authority"), by authorizing the levy in and by Jefferson County, Alabama (the "County"), of a privilege or license tax of up to one-quarter of one percent, generally parallel to the State sales tax, upon persons engaged in the County in any business subject to the State sales tax, and of an excise tax of up to one-quarter of one percent, generally parallel to the State use tax, on the storage, use or other consumption in the County of tangible personal property purchased at retail; to provide the conditions upon which such taxes may be levied and the determination of the rate thereof; to provide that the said privilege or license tax is required to be passed on to the consumer or purchaser at retail, to the extent provided for in this act; to provide for the making of reports or returns and the keeping of records with respect to the taxes herein authorized; to provide that the exemptions applicable to the State sales tax statutes and the State use tax statutes, as said statutes may from time to time be amended, shall be applicable respectively to the said privilege or license tax and the said excise tax; to provide an exemption of all sales and uses occurring within municipalities in which regular public transit services are not provided and in municipalities that levy sales and use taxes equal to or greater than that levied by the County hereunder and pay

the proceeds thereof to the Transit Authority; to confer power to administer the said taxes upon the Director of Revenue or other officer or employee of the County charged with the duty of collecting county business license taxes or other license taxes now or hereafter required by law to be paid; to provide for the collection of the taxes authorized by this act; to authorize the said Director of Revenue, or other county officer or employee collecting said business license taxes or other license taxes as aforesaid, to enforce such collection by civil suit, injunction, and accounting, or any of them; to provide that the taxes authorized by this act shall constitute a lien and to provide that such lien shall be superior to all other liens except the liens of ad valorem taxes, other license taxes, and municipal assessments; to provide for the enforcement of the lien of the taxes authorized by this act; to provide that any taxpayer dissatisfied with the assessment made against him with respect to any such tax may appeal from the assessment to the Circuit Court of Jefferson County, and to prescribe the procedure of such appeal; to provide that from the proceeds collected each month from the taxes herein authorized, there shall first be paid into the general treasury of the County a specified percentage to compensate the County for the administration, collection, and enforcement expenses relating to such taxes, and the remainder of such proceeds shall be paid to the Transit Authority, or any successor thereto; to provide for changes in the amount of the levy from year to year; to provide that act be read in pari materia with Act 232 of the Regular Session of 1977 in approving a transit budget and determining the allocations of local governments under said Act 232; to provide an effective date for this act; and to provide that the provisions of this Act shall be severable.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Smith (C):

H. J. R. 35. COMMENDING MR. JAMES CUSIC HOLLIS ON HIS OUTSTANDING CAREER IN VOCATIONAL EDUCATION.

WHEREAS, the Alabama Legislature notes with utmost commendation the long and prestigious career of Mr. James Cusic Hollis in the area of Vocational Education; and

WHEREAS, a native of Sulligent in Lamar County, Alabama, Mr. Hollis is a graduate of the Sulligent schools, holds a B.S. degree from Mississippi State, and a Masters degree earned at Auburn; and

WHEREAS, Mr. Hollis taught in the public schools of Spring Garden and Jackson, Alabama, for a period of some 13 years and then served for 11 years as District Specialist for the Northeast District, State Department of Education; and

WHEREAS, for the past six years, Mr. Hollis has served in his present capacity as State Specialist with the Agribusiness Education Section of the Division of Vocational Education Services for the Department of Education, State of Alabama, and from which position he will retire August 31, 1981; and

WHEREAS, Mr. Hollis has further served his profession as a past president of the Alabama Vocational Agriculture Teachers Association, as a member of the American Vocational Association, and as Region 5 vice president of the National Agricultural Supervisors Association; he also is a Mason and a member of the Frazer Memorial United Methodist Church of Montgomery; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Mr. James Cusic Hollis for extraordinary service in the areas of vocational and agribusiness education for the State of Alabama; we further wish him well in all future endeavors and direct that he receive a copy of this resolution in token of our high regard.

On motion of Rep. Smith (C), the rules were suspended and the resolution, H. J. R. 35, was adopted.

Also:

By Rep. Smith (C):

H. J. R. 36. CONGRATULATING THE INDEPENDENT ADVERTISER ON ITS RECENT AWARD.

WHEREAS, the Alabama Legislature is pleased to note the recent selection, by the Alabama Press Association, of the Independent Advertiser for the association's first place award, in its category, for "Best Community Service," 1981; and

WHEREAS, the Independent Advertiser, serving Chilton County and adjoining areas, is published twice weekly and boasts a circulation of approximately 5500 subscribers; and

WHEREAS, established in 1971, the Independent Advertiser has enjoyed a remarkable growth and Editor-Publisher Michael R. Kelley and his entire staff are indeed to be congratulated on the paper's outstanding success, and on its recent prestigious award in the annual "Better Newspaper Contest"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend the award winning Independent Advertiser and direct that a copy of this resolution be forwarded to Mr. Kelley on behalf of his entire staff.

On motion of Rep. Smith (C), the rules were suspended and the resolution, H. J. R. 36, was adopted.

Also:

By Reps. Turnham, Whatley, Ward, Smith (C), Carothers, Grimsley, McCorquodale, Letson, Bowling, Harvey, Adams (H), Cates, Venable, Penry and Edwards:

H. J. R. 37. COMMENDING DEAN ROY DENNIS ROUSE OF AUBURN, ALABAMA.

WHEREAS, Dean Rouse is held in high regard by the members of the Lee County Legislative Delegation consisting of Senator Ted Little, Representative Pete Turnham, Senator G. J. Higginbotham, Representative Charles Whatley and Representative Shelby Dean Ward; and

WHEREAS, Roy Dennis Rouse has been a member of the Auburn University faculty since 1949, and Dean of its School of Agriculture, Forestry, and Biological Sciences since 1972; and

WHEREAS, Dean Rouse was also Associate Director of the Alabama Agricultural Experiment Station from 1966 to 1972 and its Director from 1972 to 1980; and

WHEREAS, Dean Rouse, a native of Andersonville, Georgia, received the baccalaureate and master's degrees from the University of Georgia and the Ph.D. degree from Purdue University and completed the V6 Midshipman program at Columbia University; and

WHEREAS, Dean Rouse served with distinction as an officer in the United States Navy during World War II and on completing his wartime service continued in the Naval Reserve until his retirement as a Captain in 1966; and

WHEREAS, after earning his Ph.D. degree, he joined the Auburn University faculty and pursued an active role in research and undergraduate and graduate teaching which attracted national attention, especially his work as Director of the Soil Testing Laboratory which gave validity to soil test programs, thus providing Alabama farmers and other fertilizer users one of the best soil test programs in the nation; and

WHEREAS, Dean Rouse has authored or co-authored over fifty (50) scientific publications from studies that have added to the knowledge of agricultural principles and which have resulted in increased agricultural production not only to the benefit of Alabama farmers but to the benefit of Alabama's general economy; and

WHEREAS, Dean Rouse has served not only Auburn University as a member of its councils and committees, but has served the State of Alabama as a member of the Alabama Forestry Council, the State Soil and Water Conservation Committee, the Wildlife Research Foundation, the Alabama Board of Agriculture and Industries; and

WHEREAS, Dean Rouse has also been recognized by his peers throughout the region and nation by election to offices where he has served with distinction including the presidency of the Southern Association of Agricultural Scientists, Chairman of the Southern Association of Agricultural Experiment Station Directors, Chairman of the Experiment Station Committee on Organization and Policy, member of the Governing Board of the Agricultural Research Institute, a Fellow in both the Soil Science Society of America and the American Society of Agronomy; and

WHEREAS, Dean Rouse has been honored by being listed in Who's Who in America, named by the Progressive Farmer as Man of the Year in Alabama Agriculture, by the Alabama Crop Improvement Association as its Man of the Year, and with the Distinguished Service Award by the Catfish Farmers of America; and

WHEREAS, Dean Rouse has brought honor to Auburn University and to the State of Alabama by his many contributions, including many ways other than those specifically mentioned and has now announced his plans to retire from the faculty of Auburn University on August 31, 1981; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Dean Roy Dennis Rouse merits the highest acclaim of the State of Alabama and that it thanks Dean Rouse for his services to the State and wishes for him and his wife Madgelyn Mathis Rouse and their family many happy years of retirement.

BE IT FURTHER RESOLVED, That a copy of this resolution be included in the permanent proceedings of the Alabama Legislature and that a copy be sent to the Board of Trustees of Auburn University, to President H. Hanly Funderburk, and to Dean and Mrs. Rouse.

On motion of Rep. Turnham, the rules were suspended and the resolution, H. J. R. 37, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Minus:

H. 125. To prescribe that no more than one commercial hazardous waste site shall be situated in any one county.

Judiciary.

By Rep. Manley:

H. 126. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

Judiciary.

By Reps. Ray, Sasser, Whatley and Grimsley (With Notice and Proof):

H. 127. To authorize the Barbour County Commission to compensate the Board of Equalization of Barbour County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 127, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Ray (With Notice and Proof):

H. 128. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 128, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Shavers and Cooley:

H. 129. To amend Section 2-7-31, Code of Alabama 1975, which relates to prizes and premium awards at agricultural fairs, so as to increase the maximum amount authorized to be paid to the members of the Special Awards Committee for Fairs for per diem and travel allowances.

Agriculture and Forestry.

By Rep. Cates:

H. 130. To provide that any member of the teachers' retirement system or the employees' retirement system of Alabama who shall have attained the service requirements for surviving spouse benefits may nominate such person as he may desire to receive any benefits payable on account of his death prior to his date of retirement.

Insurance.

By Rep. Cates:

H. 131. To create a preretirement death benefit program which shall be effective to all employees covered under the teachers' retirement system of Alabama and the employees' retirement system of Alabama and to provide for the administration thereof. To give the boards of control authority to provide said death benefit in the form of group life insurance upon determination that to do so would generate a more favorable tax treatment to the beneficiaries to whom said benefit is payable.

Ways and Means.

By Rep. Gafford (With Notice and Proof):

H. 132. To provide for supplementing the salaries or compensation paid to certain semi-retired or retired district judges in the 10th Judicial Circuit.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 132, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. McMillan (With Notice and Proof):

H. 133. To conditionally appropriate ONE MILLION FIVE HUNDRED THOUSAND AND NO/100 (\$1,500,000.00) Dollars from the Special Education Trust Fund for the purpose of establishing an educational television studio in Mobile County.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 133, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. McMillan, Bedsole and Harper (T) (With Notice and Proof):

H. 134. To amend an act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama

approved August 19, 1969, by amending Section 5 thereof by striking out the phrase "and be sued"; therefore allowing the Board of School Commissioners not to consent to being sued.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 134, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. McMillan and Harper (T) (With Notice and Proof):

H. 135. To provide a hearing committee for school boards for the purpose of hearing contested contract cancellations of teachers on continuing service status in certain counties having a population of not more than 300,000 nor more than 500,000 according to the last or any subsequent federal census in the State of Alabama.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 135, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Horn (With Notice and Proof):

H. 136. Relating to Class 1 municipalities having populations of not less than 300,000 or more according to the last and any subsequent decennial census: To create a Municipal Racing Commission for the regulation, licensing, qualification for licensing, and supervision dog racing, and wagering thereon; to prescribe the composition, appointment, powers and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the municipality on the question of whether the Act will become effective in the municipality; to provide for the term during which the members of said Racing Commission shall hold office; to provide for the method of appointing the members of said Racing Commission and the qualifications of said members: To authorize the employment by said Racing Commission of Special Legal Counsel in addition to representation by the office of the City Attorney; to prohibit members of said Racing Commission from making political contributions; to provide for the severability of the parts, sections and provisions of said Act.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 136, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

POINT OF PERSONAL PRIVILEGE

Rep. Wyatt requested as a matter of personal privilege that the Journal show that at the time of passage of H. 77, he stated that it was so passed in violation of House Rule 21(a).

BILLS ON THIRD READING

And the bill:

H. 42. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Thorsby in Chilton County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bennett, Carothers, Carter, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Dixon, Drinkard, Edwards, Goodwin, Grouby, Hall, Harper (T), Harvey, Higginbotham, Holmes, Langford, Manley, Owens, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Waggoner, Ward, Warren, Whatley and Williams.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 50. Relating to Tuscaloosa County; providing an additional expense allowance for the sheriff and an expiration date therefor; and providing further for the sheriff's compensation in the next term of office for sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Cabaniss, Carothers, Carter, Cheatwood, Cosby, Dixon, Drinkard, Gafford, Grimsley, Hall, Hammett, Harper (T), Harvey, Holmes, Howard, Kelley, Langford, Letson, McKee, Mitchell, Moore, Olive, Owens, Shoemaker, Smith (C), Smith (J), Stout, Turner, Ward, Whatley, Williams and Zoghby.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 19. To alter or rearrange the boundary lines of the Town of Nectar, Blount County, Alabama, so as to include therein and within the corporate limits of said Town territory not already included therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 36; Nays 0.

Yeas:

Reps.: Adams (C), Albright, Barton, Bedsole, Bennett, Carter, Cheatwood, Cobb, Cooley, Cosby, Dixon, Drinkard, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Kelley, Naramore, Olive, Pegues, Smith (C), Smith (J), Stout, Trammell, Turner, Ward, Warren, Whatley and Williams.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 45. (With Amendment): To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 45 on page 2, line 29 by deleting the word "five" and inserting in lieu thereof the word "seven."

Further amend H. B. 45 on page 5, line 16, by deleting the words "one member" and inserting in lieu thereof the following:

two members

Further amend H. B. 45 on page 5, line 17 after the word "delegation" by inserting the following:

, one member from the House of Representatives and one member from the Senate,

Further amend H. B. 45 on page 6, line 25, by deleting the words "one mayor" and inserting in lieu thereof the following:

two mayors

Further amend H. B. 45 on page 6, line 27 by adding as "s" after the word "member".

And the amendment was adopted.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Brakefield, Cabaniss, Carter, Cheatwood, Cooley, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Kelley, Langford, Manley, Naramore, Nevett, Olive, Owens, Pegues, Rains, Shavers, Smith (C), Smith (J), Stout, Trammell, Venable, Ward, Warren and Williams.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 45 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Bennett, Brakefield, Cabaniss, Carter, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Dial, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Kelley, Langford, Manley, Minus, Mitchell, Naramore, Nevett, Olive, Pegues, Rains, Shavers, Shoemaker, Smith (C), Smith (J), Stout, Venable, Ward, Warren, Whatley, Williams and Wyatt.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 46. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Bennett, Brakefield, Carter, Cheatwood, Cosby, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Johnson (R. G.), Kelley, Langford, Letson, Manley, Minus, Mitchell, Naramore, Nevett, Pegues, Rains, Shoemaker, Smith (C), Stout, Trammell, Venable, Ward, Whatley and Wyatt.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 91. Relating to the Cities of Lanett and Valley in Chambers County; authorizing said cities to contract for municipal services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Bennett, Brakefield, Carter, Cheatwood, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Howard, Johnson (R. G.), Langford, Letson, Minus, Mitchell, Naramore, Nevett, Olive, Rains, Shoemaker, Smith (C), Stewart, Stout, Trammell, Turnham, Waggoner, Ward, Warren, Whatley, Willis and Wyatt.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 92. Relating to Randolph County; to further regulate probate court fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Brakefield, Carter, Cheatwood, Cosby, Dial, Edwards, Goodwin, Grimsley,

Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Howard, Johnson (R. G.), Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Naramore, Nevett, Olive, Parker, Pegues, Penry, Rains, Ray, Shoemaker, Smith (C), Stewart, Stout, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—53

And the bill:

H. 93. To authorize the Randolph County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Bennett, Brakefield, Cheatwood, Cosby, Dial, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holmes, Howard, Johnson (R. G.), Langford, Letson, McMillan, Minus, Mitchell, Naramore, Nevett, Olive, Parker, Pegues, Penry, Rains, Ray, Shoemaker, Smith (C), Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

UNFINISHED BUSINESS

The House then proceeded with the consideration of the Unfinished Business.

On motion of Rep. Clark (G), the bill, H. 76 as amended and with pending amendment, was temporarily postponed.

BILLS ON THIRD READING RESUMED

And the bill:

H. 80. (With Substitute): Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; and providing that if

all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature may shorten the regular session by the same or a lesser number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as provided by law:

PROPOSED AMENDMENT

Unless the legislature otherwise subsequently prescribes by statute for the date of commencement, the legislature shall convene on the second Tuesday of January of each year into a special session to be known as the "budget session," which shall be limited to 15 legislative days and 35 calendar days for the purpose of making appropriations for the educational and general operations of government for the following fiscal year. No other bill shall be introduced in such sessions.

Provided, that in 1983 and each fourth year thereafter, the legislature shall convene in the special session provided for above on the second Tuesday of February.

Unless otherwise subsequently provided by the legislature by statute for the commencement date of each regular session of the legislature, the legislature shall convene in regular session each year on the second Tuesday immediately following the adjournment of the annual special budget session. The legislature may, by act or joint resolution, shorten the regular session each year by the same number, or a lesser number, of legislative and calendar days it used in meeting in the special session provided for by this amendment.

If the legislature fails to make all such educational and general governmental operations appropriations in the annual special budget session, then at the following annual regular session, no bill shall receive its third reading in either house of origin until all such appropriation bills have first been passed.

4th Day

Section 2. An election upon the proposed amendment is ordered to be held on the date of the first general or statewide election which is held at least three months next succeeding the adjournment of the current session of the legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

SUBSTITUTE TO SUBSTITUTE OFFERED

Rep. Gafford offered the following substitute to the bill, H. 80 with pending substitute, reported by the Standing Committee on Judiciary:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature shall shorten the regular session by the same number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as provided by law:

PROPOSED AMENDMENT

Unless the legislature otherwise subsequently prescribes by statute for the date of commencement, the legislature shall convene on the second Tuesday of January of each year into a special session to be known as the "budget session," which shall be limited to 15 legislative days and 35 calendar days for the purpose of making appropriations for the educational and general operations of government for the following fiscal year. No other bill shall be introduced in such sessions.

Provided, that in 1983 and each fourth year thereafter, the legislature shall convene in the special session provided for above on the second Tuesday of February.

Unless otherwise subsequently provided by the legislature by statute for the commencement date of each regular session of the legislature, the legislature shall convene in regular session each year on the second Tuesday immediately following the adjournment of the annual special budget session. The legislature shall shorten the regular session each year by the same number of legislative and calendar days it used in meeting in the special session provided for by this amendment. The annual special budget session and the regular session together shall not exceed a total of 30 legislative days and 105 total calendar days.

If the legislature fails to make all such educational and general governmental operations appropriations in the annual special budget session, then at the following annual regular session, no bill shall receive its third reading in either house of origin until all such appropriation bills have first been passed.

The provisions of this amendment shall apply to the 1982 regular session, but shall not apply to each following regular session unless so provided by act of the legislature.

Section 2. An election upon the proposed amendment shall be held on December 8, 1981. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

SUBSTITUTE TO SUBSTITUTE LOST

The substitute offered by Rep. Gafford to the substitute reported by the Standing Committee on Judiciary, was lost.

Yeas 41; Nays 41.

Yeas:

Mr. Speaker, Albright, Amari, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Coburn, Crow, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Hammett, Harper (O), Horn, Jackson, Johnson (R. G.), Letson, Moore, Naramore, Nevett, Olive, Payne, Rains, Ray, Sasser, Shoemaker, Smith (M), Starkey, Stewart, Trammell, Turnham, Waggoner and Williams.

—41

Nays:

Reps. Adams (C), Adams (H), Barton, Bedsole, Bennett, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Ford, Hall, Harrison, Holley, Holmes, Howard, Kelley, Langford, McKee, Manley, Owens, Parker, Patton, Pegues, Penry, Riddick, Smith (J), Stout, Tucker, Turner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—41

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary to the bill, H. 80.

MOTION TO POSTPONE

Rep. Stout offered the motion to postpone further consideration of the bill, H. 80 with pending substitute, to the seventh legislative day.

SUBSTITUTE MOTION ADOPTED

Rep. Boles offered the substitute motion to temporarily postpone further consideration of the bill, H. 80 with pending substitute, and the substitute motion was adopted.

Yeas 58; Nays 8.

Yeas:

Reps. Albright, Amari, Barton, Bedsole, Bennett, Boles, Brakefield, Cabaniss, Carter, Cheatwood, Clark (G), Clark (W), Cooley, Daniels, Dixon, Drinkard, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, McKee, Manley, Minus, Nevett, Olive, Owens, Parker, Payne, Penry, Ray, Riddick, Sasser, Smith (C), Smith (J), Starkey, Stewart, Stout, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—58

Nays:

Reps. Carothers, Cosby, Gilmer, Patton, Rains, Smith (M), Turnham and Wyatt.

—8

And the bill:

H. 38. (With Amendment): Proposing an amendment to the Constitution prescribing the manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

Was taken up.

SUBSTITUTE OFFERED

Rep. Clark (G) offered the following substitute to the bill, H. 38 with pending amendment reported by the Standing Committee on Judiciary, said substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

H. 38. Relating to the legislative process in enacting certain appropriation acts; (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the state, for the payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each

house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this act prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of this act prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in this act shall be construed as requiring the legislature to make any appropriation not otherwise required by the Constitution to be made, and (f) setting a termination date.

Be It Enacted by the Legislature of Alabama:

Section 1. (A) The following words and phrases, whenever used in this act, shall have the following respective meanings:

"Basic Appropriations" means, with respect to any regular session of the Legislature, such appropriations as the Legislature may deem appropriate for the expenditures by the State during the ensuing Budget Period for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise).

"Budget Period" means a fiscal year of the State or such period other than fiscal year as may hereafter be fixed by law as the period with respect to which State budgets are prepared and State appropriations are made.

(B) On or before the second legislative day of each regular session of the legislature, beginning with the first regular session after January 1, 1982, the Governor shall transmit to the Legislature for its consideration a proposed budget for the then next ensuing Budget Period.

(C) The duty of the Legislature at any regular session to make the Basic Appropriations for any Budget Period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly, beginning with the first regular session held after January 1, 1982, no bill (other than a bill making any of the Basic Appropriations) shall be signed by either the presiding officer of the House or Senate and transmitted to the other house until bills making the Basic Appropriations for the then ensuing Budget Period shall have been signed by the presiding officer of each House of the Legislature in accordance with Section 66 of the Alabama Constitution and presented to the Governor in accordance with Section 125 of the Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; and provided further, that following adoption, by vote of either house of not less than three-fifths of the members elected to that house, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.

(D) Upon the signing and presentation to the Governor in accordance with the said Sections 66 and 125 of bills making the Basic Appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the House and Senate (other than bills making any part of the Basic Appropriations) shall cease to be effective and shall not be revived or become again effective as a result of (i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the Governor or the Legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the Justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

(E) The Legislature may, by statute or rule, make such further provisions for the timely passage of bills making the Basic Appropriations.

(F) Nothing contained herein shall be construed as requiring the Legislature to make any appropriation not otherwise required to be made.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective on January 1, 1982 and shall self-terminate on July 1, 1982.

SUBSTITUTE TO SUBSTITUTE OFFERED

Rep. Gafford offered the following substitute to the bill, H. 38 with pending amendment and substitute:

SUBSTITUTE TO SUBSTITUTE TO H. B. 38

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature shall shorten the regular session by the same number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as provided by law:

PROPOSED AMENDMENT

Unless the legislature otherwise subsequently prescribes by statute for the date of commencement, the legislature shall convene on the second Tuesday of January of each year into a special session to be known as the "budget session," which shall be limited to 15 legislative days and 35 calendar days for the purpose of making appropriations for the educational and general operations of government for the following fiscal year. No other bill shall be introduced in such sessions.

Provided, that in 1983 and each fourth year thereafter, the legislature shall convene in the special session provided for above on the second Tuesday of February.

Unless otherwise subsequently provided by the legislature by statute for the commencement date of each regular session of the legislature, the legislature shall convene in regular session each year on the second Tuesday immediately following the adjournment of the annual special budget session. The legislature shall shorten the regular session each year by the same number of legislative and calendar days it used in meeting in the special session provided for by this amendment. The annual special budget session and the regular session together shall not exceed a total of 30 legislative days and 105 total calendar days.

If the legislature fails to make all such educational and general governmental operations appropriations in the annual special budget session, then at the following annual regular session, no bill shall receive its third reading in either house of origin until all such appropriation bills have first been passed.

The provisions of this amendment shall apply to the 1982 regular session, but shall not apply to each following regular session unless so provided by act of the legislature.

Section 2. An election upon the proposed amendment shall be held on December 8, 1981. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

CO-SPONSORS ADDED

Reps. Smith (J) and Crow were added as co-sponsors to the bill, H. 38.

SUBSTITUTE TO SUBSTITUTE TABLED

On motion of Rep. Clark (G), the substitute offered by Rep. Gafford to the substitute offered by Rep. Clark (G) to the bill, H. 38 with pending amendment, was tabled.

Yeas 55; Nays 30.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Blake, Brakefield, Buskey, Cabaniss, Campbell, Cates, Clark (G), Clark (W), Cobb, Cooley,

Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gilmer, Goodwin, Grouby, Harvey, Holley, Holmes, Jackson, Kelley, Kennedy, Lewis, McMillan, Manley, Minus, Mitchell, Nevett, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Shoemaker, Smith (C), Smith (J), Trammell, Turner, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—55

Nays:

Reps. Albright, Biddle, Boles, Bowling, Carothers, Carter, Cheatwood, Coburn, Drinkard, Gafford, Grimsley, Hall, Hammett, Harper (O), Harrison, Higginbotham, Johnson (R. G.), Langford, Letson, Moore, Olive, Payne, Rains, Sasser, Smith (M), Tucker, Turnham, Waggoner, Williams and Wyatt.

—30

The question was then on the adoption of the substitute offered by Rep. Clark (G) to the bill, H. 38 with pending amendment reported by the Standing Committee on Judiciary, and the substitute was adopted

Yeas 80; Nays 9.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Jackson, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Penry, Ray, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—80

Nays:

Reps. Carter, Cheatwood, Coburn, Cooley, Gafford, Pegues, Smith (M), Turnham and Ward.

—9

SUBSTITUTE OFFERED

Rep. Drinkard offered the following substitute to the bill, H. 38 as amended:

A BILL TO BE ENTITLED AN ACT

Providing for isolation of the appropriations bills for the educational and general operations of state government for the following fiscal year during the first twelve legislative days of each regular session and authorizing the legislature to alter such isolation schedule.

Be It Enacted by the Legislature of Alabama:

Section 1. During the first eight legislative days of each regular session of the legislature no bills other than the appropriations bills for the educational and general operations of state government for the following fiscal year shall receive any legislative action by the House of Representatives or the Senate other than a first reading in chamber of origin and assignment to committee and no legislative committees, other than the House Ways and Means Committee and the Senate Finance and Taxation Committee deliberating on said appropriations bills, shall meet; on the ninth through twelfth legislative days any legislative committee may meet and take action on any bill and any bill may receive a second reading in its chamber of origin; on the thirteenth legislative day and thereafter, any bill in either chamber may receive a third reading. Provided, however, that the foregoing provisions may be altered by a two-thirds vote in either chamber to suspend the rules in order to take legislative action on any specific bill at any time.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO POSTPONE TABLED

On motion of Rep. Clark (G), the motion offered by Rep. Holmes to postpone further consideration of the bill, H. 38 as amended and with pending substitute, to the seventh legislative day, was tabled.

Yeas 77; Nays 9.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Holley, Johnson (R. G.), Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—77

Nays:

Reps. Cheatwood, Harrison, Higginbotham, Holmes, Horn, Rains, Smith (M), Starkey and Turnham.

—9

SUBSTITUTE TABLED

The question was then on the adoption of the substitute offered by Rep. Drinkard to the bill, H. 38 as amended, and on motion of Rep. Clark (G), the substitute was tabled.

Yeas 75; Nays 13.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harrison, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Kennedy, Letson, Lewis, McKee, McMillan, Manley, Minus, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—75

Nays:

Reps. Bedsole, Coburn, Drinkard, Ford, Gafford, Gilmer, Harper (O), Holmes, Horn, Langford, Rains, Smith (M) and Turnham.

—13

SUBSTITUTE OFFERED

Rep. Gafford offered the following substitute to the bill, H. 38 as amended:

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature shall shorten the regular session by the same number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as provided by law:

PROPOSED AMENDMENT

Unless the legislature otherwise subsequently prescribes by statute for the date of commencement, the legislature shall convene on the second Tuesday of January of each year into a special session to be known as the "budget session," which shall be limited to 15 legislative days and 35 calendar days for the purpose of making appropriations for the educational and general operations of government for the following fiscal year. No other bill shall be introduced in such sessions.

During said special session the legislature may also make appropriations for charitable or educational institutions not under the absolute control of the state as provided for in Section 73 of the Constitution of Alabama of 1901.

Provided, that in 1983 and each fourth year thereafter, the legislature shall convene in the special session provided for above on the second Tuesday of February.

Unless otherwise subsequently provided by the legislature by statute for the commencement date of each regular session of the legislature, the legislature shall convene in regular session each year on the second Tuesday immediately following the adjournment of the annual special budget session. The legislature shall shorten the regular session each year by the same number of legislative and calendar days it used in meeting in the special session provided for by this amendment. The annual special budget session and the regular session together shall not exceed a total of 30 legislative days and 105 total calendar days.

If the legislature fails to make all such educational and general governmental operations appropriations in the annual special budget session, then at the following annual regular session, no bill shall receive its third reading in either house of origin until all such appropriation bills have first been passed.

The provisions of this amendment shall apply to the 1982 regular session, but shall not apply to each following regular session unless so provided by act of the legislature.

Section 2. An election upon the proposed amendment shall be held on December 8, 1981. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

SUBSTITUTE TABLED

On motion of Rep. Clark (G), the substitute offered by Rep. Gafford to the bill, H. 38 as amended, was tabled.

Yeas 57; Nays 28.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Biddle, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Cates, Clark (G), Clark (W), Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Goodwin, Grouby, Hall, Harrison, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kennedy, McKee, McMillan, Manley, Minus, Naramore, Nevett, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Riddick, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Turner, Venable, Ward, Whatley, Willis, Wyatt and Zoghby.

Nays:

Reps. Albright, Amari, Blake, Carothers, Carter, Cheatwood, Coburn, Drinkard, Gafford, Gilmer, Grimsley, Hammett, Harper (O), Holmes, Horn, Howard, Langford, Letson, Moore, Olive, Rains, Sasser, Shavers, Smith (M), Starkey, Turnham, Waggoner and Williams.

—28

AMENDMENT OFFERED

Rep. Holley offered the following amendment to the bill, H. 38 as amended:

Amend H. B. 38 as substitute on page 4 line 22 after the word "therein. Add the following: This act shall not apply to revenue producing bills.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Holley to the bill, H. 38 as amended, was tabled.

Yeas 57; Nays 23.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bennett, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (G), Clark (W), Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Goodwin, Grouby, Hall, Hammett, Harper (T), Harvey, Hines, Johnson (R. G.), Kennedy, Letson, McKee, McMillan, Manley, Minus, Naramore, Owens, Parker, Patton, Penry, Ray, Reed, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Turner, Venable, Waggoner, Ward, Warren, Willis and Zoghby.

—57

Nays:

Reps. Amari, Bedsole, Biddle, Bowling, Cheatwood, Coburn, Drinkard, Gafford, Gilmer, Harper (O), Harrison, Holley, Holmes, Horn, Kelley, Langford, Moore, Nevett, Payne, Pegues, Smith (M), Turnham and Wyatt.

—23

And the bill:

H. 38. Relating to the legislative process in enacting certain appropriation acts; (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the state, for the payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this act prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of

the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of this act prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in this act shall be construed as requiring the legislature to make any appropriation not otherwise required by the Constitution to be made, and (f) setting a termination date.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 11.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Hines, Holley, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Penry, Ray, Reed, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—75

Nays:

Reps. Cheatwood, Coburn, Cooley, Drinkard, Gafford, Horn, Moore, Pegues, Smith (M), Starkey and Turnham.

—11

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Gafford, the rules were suspended in order to take up out of order the bill, H. 62.

Yeas 49; Nays 11.

Yeas:

Reps. Albright, Amari, Barton, Bennett, Bowling, Carothers, Carter, Cates, Cheatwood, Coburn, Daniels, Dixon, Edwards, Escott, Gafford, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harper (T), Higginbotham, Hines, Holley, Holmes, Howard, Johnson (R. G.), Kelley, Langford, Letson, McKee, McMillan, Minus, Moore, Naramore, Olive, Owens, Reed, Shavers, Smith (C), Smith (M), Trammell, Turner, Turnham, Venable, Waggoner, Warren, Williams and Wyatt.

—49

Nays:

Reps. Adams (C), Cosby, Gilmer, Manley, Nevett, Pegues, Riddick, Ward, Whatley, Willis and Zoghby.

—11

And the bill:

H. 62. To require legislative approval for certain actions regarding state government; to provide further for the state merit system; to provide further for the adoption or redefinitions of classifications of state employees; to prohibit actions resulting in declassification or reclassification or non-voluntary transfers between state agencies or other political subdivisions of the state without legislative action in the form of act or resolution; to provide further for state agencies, departments, bureaus, councils, boards, commissions or like governmental units, so as to require legislative action for any merger or abolition of same; and to provide that the provisions of this act shall become null and void on January 18, 1983.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 1.

Yeas:

Reps. Adams (C), Albright, Amari, Barton, Bennett, Blake, Bowling, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kennedy, Langford, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Ray, Reed, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Warren, Williams, Wyatt and Zoghby.

—72

Nay: Rep. Rains.

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 30. SETTING MEETING DAYS OF THE LEGISLATURE.

Also:

H. J. R. 32. RELATING TO THE PRINTING OF THE JOURNALS.

Also:

H. J. R. 33. EXPRESSING APPRECIATION TO THE CLANTON, ALABAMA, JAYCEES.

Also:

H. J. R. 34. CONGRATULATING DR. THERON MONTGOMERY, PRESIDENT OF JACKSONVILLE STATE UNIVERSITY.

Also:

H. J. R. 35. COMMENDING MR. JAMES CUSIC HOLLIS ON HIS OUTSTANDING CAREER IN VOCATIONAL EDUCATION.

Also:

H. J. R. 36. CONGRATULATING THE INDEPENDENT ADVERTISER ON ITS RECENT AWARD.

Also:

H. J. R. 37. COMMENDING DEAN ROY DENNIS ROUSE OF AUBURN, ALABAMA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 27. MOURNING THE DEATH OF MR. ARDIS EDMUND McCANTS, FORMER LONGTIME EMPLOYEE OF THE BIRMINGHAM NEWS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Payne, the rules were suspended and the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 27, said Senate amendment being as follows:

H. J. R. 27. MOURNING THE DEATH OF MR. ARDIS EDMUND McCANTS, FORMER LONGTIME EMPLOYEE OF THE BIRMINGHAM NEWS.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama notes the death of Mr. Ardis Edmund McCants of Trussville, Alabama, on July 26, 1981, at the age of 63; and

WHEREAS, a native of Hartford in Geneva County, Alabama, Mr. McCants also was a former resident of Tallahassee, Florida, and had attended Emory University in Atlanta, Georgia, where he was a member of Kappa Alpha Order; and

WHEREAS, he was a retired Lieutenant Commander in the United States Naval Reserve who had served in the Pacific Theater for more than three years during World War II; and

WHEREAS, a veteran newsman, Mr. McCants was Associated with newspapers in Gadsden, Dothan, Anniston, Cedartown, Georgia, and Atlanta, and was an employee of THE BIRMINGHAM NEWS for some 20 years, retiring as Copy Editor in 1978; and

WHEREAS, he was a former president of the Alabama Associated Press Association, a member of the Society of Professional Journalists, Sigma Delta Chi, and other professional organizations; and

WHEREAS, Mr. McCants was a longtime and faithful member of the First United Presbyterian Church of Trussville, serving as a ruling elder at the time of his death; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Ardis Edmund McCants of Trussville, Alabama, and extend our most heartfelt sympathy to his wife, Mrs. Mary Herndon McCants, their son, Donald Leslie McCants, and daughters, Mrs. Laura Reddick and Mrs. Elizabeth Hughs, to whom copies of this resolution shall be sent.

The resolution, H. J. R. 27 as amended, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Little:

S. J. R. 16. MOURNING THE DEATH OF COLONEL B. CONN ANDERSON OF AUBURN, ALABAMA.

Also:

By Messrs. Little and Miller:

S. J. R. 17. HONORING MR. MILLARD DAWSON UPON HIS RETIREMENT AS CAMPUS SECURITY CHIEF, AUBURN UNIVERSITY.

Also:

By Mr. Little:

S. J. R. 18. COMMENDING DR. THOMAS BENJAMIN HAGLER UPON HIS RETIREMENT AS HEAD OF EXTENSION HORTICULTURE, AUBURN UNIVERSITY.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 16, S. J. R. 17 and S. J. R. 18, were read and referred to the Standing Committee on Rules, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Kirkland:

S. J. R. 8. COMMENDING MR. CLARENCE TURNIPSEED OF BREWTON, ALABAMA, PRESIDENT OF THE ALABAMA BANKERS ASSOCIATION.

Also:

By Mr. Gulledge:

S. J. R. 11. HONORING MR. JOHN S. WOOD UPON HIS RECENT RETIREMENT AS WASHINGTON COUNTY SUPERINTENDENT OF EDUCATION.

Also:

By Mr. Gulledge:

S. J. R. 12. COMMENDING MRS. MARY BOYKIN, NAMED "WOMAN OF THE YEAR" BY THE CENTRAL BALDWIN CHAMBER OF COMMERCE.

Also:

By Messrs. Gulledge and St. John:

S. J. R. 13. COMMENDING MISS CINDY ST. JOHN OF FOLEY, ALABAMA, 1981 GIRLS STATE GOVERNOR.

Also:

By Mr. Teague:

S. J. R. 14. COMMENDING MR. WARD A. ROGNELSON UPON HIS RETIREMENT AS CITY CLERK FROM THE CITY OF CHILDESBURG, ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 8, S. J. R. 11, S. J. R. 12, S. J. R. 13 and S. J. R. 14, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDonald:

S. J. R. 15. ADDING NEW JOINT RULE OF THE LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a new Joint Rule of the Legislature is hereby added to read as follows:

"24. A Committee on Conference to reconcile the difference on pending legislation between the two houses of the Alabama Legislature shall consist

of six members, three of whom shall be members of the House, appointed by the Speaker thereof, and three from the Senate, to be appointed by the President of the Senate. The Committee on Conference shall not report unless there be an affirmative vote of at least four members which must consist of at least two votes by the conferees from each house. The report of the Committee on Conference shall be attached to the pending legislation and returned to the house of origin for such action as that house may deem appropriate. The house of origin may take one of the following courses of action:

a. They may concur in the Committee on Conference report and, in the event of this action, the bill and the Conference Committee report shall be sent to the other house for action.

b. The house of origin may reject the Conference Committee report, in which case the pending legislation is automatically void.

c. The house of origin may reject the report of the Committee on Conference and request that a new committee be appointed by the respective presiding officers.

"In the event the house of origin adopts the Committee on Conference report, the pending legislation, together with the report of the Committee on Conference, shall be submitted to the other house for action in the same manner as in the house of origin.

"In the event the minority wishes to submit a report, the house of origin shall first consider the majority report, after which it may then consider accepting the minority report.

"In the event of a majority report rejection, the minority report may be considered and, if concurred in by the house of origin, the same shall be presented to the other house for action by that house."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 15 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Denton:

S. J. R. 7. COMMENDING ROGERS CUNNINGHAM BARNES ON HIS OUTSTANDING SERVICE AND RETIREMENT.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Starkey, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 7, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Robertson, Martin, and deGraffenried:

S. J. R. 6. COMMENDING MAYOR WILLIAM H. TUCK FOR HIS MORE THAN THREE DECADES OF SERVICE TO THE CITY OF EUTAW.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 6, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Callahan:

S. J. R. 5. PROCLAIMING THE DATES OF SEPTEMBER 4 THROUGH SEPTEMBER 7, 1981 AS S.O.B.E.R. DAYS IN ALABAMA.

WHEREAS, sixty percent of all traffic fatalities in Alabama involve alcohol, a figure that is substantially greater than the national average, and

WHEREAS, alcohol-related accidents account for millions of dollars in property damage and immeasurable human suffering every year; and

WHEREAS, increased public awareness and citizen involvement are the keys to controlling the problem of drinking and driving; and

WHEREAS, the National Council on Alcoholism is a voluntary public health organization which focuses on problems stemming from alcohol abuse; and

WHEREAS, The Alabama Division of the National Council on Alcoholism is conducting a public awareness campaign to reduce the number of alcohol-related highway deaths in Alabama during the Labor Day Weekend, September 4, through September 7, 1981; and

WHEREAS, civic organizations, businesses and other groups representing thousands of Alabamians have joined forces with the Alabama Division of the National Council on Alcoholism to make this campaign a success, a campaign which slogan is S.O.B.E.R., "Slow on the Bottle, Enjoy the Road"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend the Alabama Division of the National Council on Alcoholism and the many organizations assisting in the S.O.B.E.R. campaign and we further urge all Alabamians to go Slow on the Bottle and Enjoy the Road over the Labor Day Weekend, 1981.

BE IT FURTHER RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That hereby the dates of September 4 through September 7, 1981 are proclaimed as S.O.B.E.R. Days in Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 5 set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Weeks:

S. J. R. 23. HONORING DR. CARL BASCOMB GIBSON UPON HIS RETIREMENT FROM CHIROPRACTIC PRACTICE.

Also:

By Messrs. deGraffenried and Robertson:

S. J. R. 24. MOURNING THE DEATH OF MR. HARRY H. PRITCHETT, PROMINENT TUSCALOOSA BUSINESSMAN AND CIVIC LEADER.

Also:

By Mr. Gullledge:

S. J. R. 25. REQUESTING THAT PARKING SPACES IN THE WEST PORTION OF THE STATE PARKING LOT, BETWEEN PELHAM AND KING STREETS, BE RE-STRIPED IN A LOGICAL MANNER COMPATIBLE WITH THE ONE-WAY DIRECTION OF UNION STREET.

Also:

By Mr. Robertson:

S. J. R. 26. NAMING THE NEW BRIDGE ON STATE HIGHWAY 17 WHICH SPANS THE TOMBIGBEE RIVER APPROXIMATELY FIVE MILES SOUTHWEST OF ALICEVILLE, PICKENS COUNTY, ALABAMA, "THE HUYCK BRIDGE".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 23, the title of which is set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

On motion of Rep. Owens, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 24, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Carter, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 25, the title of which is set out in the above and foregoing Message from the Senate.

The resolution, S. J. R. 26, the title of which is set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Lemaster:

S. J. R. 30. COMMENDING THE COUNTRY MUSIC GROUP
"ALABAMA".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 30, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Miller:

S. J. R. 31. MOURNING THE DEATH OF MR. H. J. HARRELL,
PROMINENT ENTERPRISE INDUSTRIALIST.

Also:

By Mr. Mitchem:

S. J. R. 32. RECOGNIZING MR. CLAUDE M. ELROD FOR HIS
CONTRIBUTIONS TO SNEAD STATE JUNIOR COLLEGE.

Also:

By Mr. Pearson:

S. J. R. 33. COMMENDING MR. BENJAMIN D. MCGHEE, PROM-
INENT ALABAMA EDUCATOR.

Also:

By Mr. Pearson:

S. J. R. 34. COMMENDING EDWARD D. JENKINS FOR HIS
DEDICATED 40-YEAR CAREER IN THE JEFFERSON COUNTY AND
BIRMINGHAM SCHOOL SYSTEMS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 31, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Rains, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 32, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 33, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 34, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Bailey:

S. J. R. 19. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO STUDY FEDERAL BLOCK GRANTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to be composed of members of the Senate Finance and Taxation Committee, members of the House Ways and Means Committee and two members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets concerning the acquisition, maintenance and allocation of Federal Block Grants, except those relating to health and welfare.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the Legislature not later than the fifth legislative day of the 1982 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total of such expenses shall not exceed \$15,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 19 set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Little and Harrison:

S. J. R. 36. COMMENDING THE DADEVILLE HIGH SCHOOL TIGERS FOR OUTSTANDING ACHIEVEMENT IN SPORTS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 36, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Wyatt and McKee:

H. J. R. 38. MOURNING THE DEATH OF MISS CYNTHIA DARLENE MYERS OF MONTGOMERY COUNTY, ALABAMA.

WHEREAS, it is with deep sorrow and regret that the Legislature of Alabama notes the recent death of Miss Cynthia Darlene Myers of Montgomery County, Alabama, at the age of just 17 years; and

WHEREAS, Cynthia Myers' untimely death was a result of injuries sustained in an automobile accident on August 8, 1981; and

WHEREAS, young Cynthia Myers, who was a student at Hooper Academy, on the eve of her senior year, had early shown promise of responsible adulthood, and her tragic death has left a deep void in her community and in the lives of her beloved family, classmates and many, many friends; and

WHEREAS, she was a member of the Butler Mill Road Church of Christ, faithful in attendance and actively involved in many activities of her church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply shocked and grievously saddened by the death of Cynthia Darlene Myers and extend our most heartfelt sympathy to all her family.

BE IT FURTHER RESOLVED, That a copy of the resolution be sent to her parents, Mr. and Mrs. Frank Myers, that they and other family members may know we deeply share the sorrow of their loss.

On motion of Rep. Wyatt, the rules were suspended and the resolution, H. J. R. 38, was adopted.

Also:

By Reps. Wyatt and McKee:

H. J. R. 39. MOURNING THE TRAGIC AND UNTIMELY DEATH OF ROBERT "BURGESS" PRUETT.

WHEREAS, the Legislature of Alabama has grievously noted the tragic and untimely death of Robert "Burgess" Pruett of Mathews, Alabama, on August 6, 1981, at the age of just 17 years; and

WHEREAS, Burgess Pruett, whose promising young life was ended as the result of an automobile accident, was a rising senior at South Montgomery County Academy and was a member of his school's varsity football squad; and

WHEREAS, he was a talented young athlete whose dedication and ability played an instrumental role in his team's state championship two years ago and in the Raider's outstanding 1980 season as well; and

WHEREAS, Burgess Pruett also was an excellent student who was held in high regard by his teachers, teammates and many, many friends, all of whom are sorely grieved by their great loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Robert "Burgess" Pruett of Mathews, Alabama, and extend our most heartfelt sympathy to all members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his parents, Mr. and Mrs. John Oliver Pruett, with a copy also provided for South Montgomery County Academy, evidencing our shared sorrow in the lamentable loss of Robert "Burgess" Pruett.

On motion of Rep. Wyatt, the rules were suspended and the resolution, H. J. R. 39, was adopted.

Also:

By Reps. Wyatt and McKee:

H. J. R. 40. MOURNING THE DEATH OF MR. EMORY WOMBLES OF RAMER, ALABAMA.

WHEREAS, the Alabama Legislature notes with deep sorrow and regret the untimely death of Mr. Emory Wombles of Ramer, Alabama, who died at the age of 57, on August 6, 1981, as the result of injuries sustained in a tragic automobile accident; and

WHEREAS, a longtime resident of the Ramer area, Mr. Wombles was a devoted husband and father and was a beloved member of his community; and

WHEREAS, he was a member of the Oakdale Baptist Church which he faithfully served and also was long active in the affairs of his community and the surrounding area; and

WHEREAS, the death of Mr. Wombles has indeed left a void in his community and in the lives of his family and many, many friends who are sorely grieved by their great loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Emory Wombles of Ramer, Alabama, and extend our most heartfelt sympathy to his wife, Mrs. Marjorie Griggs Wombles, to their sons, Emory Greg and Bobby Wayne Wombles, their daughter, Mrs. Marjorie Gail Norman, and other family members to whom a copy of this resolution shall be sent.

On motion of Rep. Wyatt, the rules were suspended and the resolution, H. J. R. 40, was adopted.

Also:

By Reps. Wyatt and McKee:

H. R. 41. MOURNING THE UNTIMELY DEATH OF KEVIN OLEN DYESS.

WHEREAS, the House of Representatives has been deeply saddened by the tragic death of Kevin Olen Dyess, of Grady, Alabama, on July 25, 1981, at the early age of just 17 years; and

WHEREAS, Kevin was an upcoming senior at South Montgomery County Academy and a talented and integral member of the Academy's football team, the Raiders; and

WHEREAS, the loss of Kevin is deeply felt by all those whose lives he touched, and, who, even in grief, give thanks for his having lived; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That we grievously mourn the recent death of Kevin Olen Dyess and extend our most heartfelt sympathy to his friends and family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his parents Mr. and Mrs. Henry O. Dyess and to the South Montgomery County Academy that everyone may know we deeply share the sorrow of their great loss.

On motion of Rep. Wyatt, the rules were suspended and the resolution, H. R. 41, was adopted.

BILLS ON THIRD READING RESUMED

H. 41 TEMPORARILY POSTPONED

On motion of Rep. Smith (C), the bill, H. 41, was temporarily postponed.

And the bill:

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

Was taken up.

SUBSTITUTE OFFERED

Reps. Payne and Lewis offered the following substitute to the bill, H. 1:

A BILL TO BE ENTITLED AN ACT

To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17-20-1, Code of Alabama 1975, is hereby amended to read as follows:

"§ 17-20-1.

"The state is hereby divided into seven congressional districts as follows:

"(1) The first district will be composed of the counties of Mobile, Washington, Clark, Monroe, Escambia, Baldwin and Wilcox.

"(2) The second district shall be composed of the counties of Montgomery, Bullock, Barbour, Pike, Crenshaw, Butler, Covington, Coffee, Dale, Henry, Houston, Geneva and Conecuh.

"(3) The third district shall be composed of the counties of Calhoun, Talladega, Clay, Randolph, Chambers, Tallapoosa, Coosa, Cleburne, Elmore, Macon, Lee, Russell, and Autauga and Lowndes that part of Lowndes County included in the Benton-Collirene division (enumeration districts 0477 and 0478) and the Lowndesboro division (enumeration districts 0475 and 0476).

"(4) The fourth district shall be composed of the counties of Franklin, Marion, Lamar, Pickens, Fayette, Walker, Winston, Cullman, Blount, St. Clair, Etowah, Marshall, DeKalb, Cherokee, and Jefferson County precinct 12 as constituted November 1, 1970 all of that part of Franklin County not included in the Red Bay division (enumeration districts 0061T 0061U, 0062, 0063A, 0063B, 0064A and 0064B), and that part of St. Clair County included in the Ashville division (tract 0404), the Ragland division (tract 0403) and the Springville division (tract 0405).

"(5) The fifth district shall be composed of the counties of Lauderdale, Colbert, Lawrence, Limestone, Morgan, Madison, and Jackson and the Franklin County Red Bay division (enumeration districts 0061T, 0061U, 0062, 0063A, 0063B, 0064A and 0064B).

"(6) The sixth district shall be composed of all that part of Jefferson County not included in census tracts 35, 100.01, 100.02, 101, 102, 103.01, 103.02, 104.01, 104.02, 122, 123.01, 123.02, 125, 138.01, 138.02, 139.01, 139.02, 140, 141.02, 141.03, 141.04, 141.05, 142.02, 142.03, 142.04, 143.01, 143.02, 144.02 and 144.03 precincts 1, 2, 4 and 12 as constituted November 1, 1970.

"(7) The seventh district shall be composed of the counties of Choctaw, Marengo, Dallas, Perry, Hale, Sumter, Greene, Tuscaloosa, Bibb, Chilton, and Shelby, that part of Lowndes County not included in the Benton-Collirene division (enumeration districts 0477 and 0478) and the Lowndesboro division (enumeration districts 0475 and 0476), that territory in Jefferson County in precincts 1, 2 and 4 as such precincts were constituted on November 1, 1970; and that part of Jefferson County included in census tracts 35, 100.01, 100.02, 101, 102, 103.01, 103.02, 104.01, 104.02, 122, 123.01, 123.02, 125, 138.01, 138.02, 139.01, 139.02, 140, 141.02, 141.03, 141.04, 141.05, 142.02, 142.03, 142.04, 143.01, 143.02, 144.02 and 144.03, and the St. Clair County Moody division (tract 0401) and Pell City division (tract 0402)."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO TABLE LOST

The motion offered by Rep. Nevett to table the substitute offered by Reps. Payne and Lewis to the bill, H. 1, was lost.

Yeas 18; Nays 51.

Yeas:

Reps. Barton, Buskey, Clark (W), Escott, Harrison, Harvey, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Mitchell, Nevett, Smith (C), Tucker, Wyatt and Zoghby.

—18

Nays:

Reps. Adams (C), Amari, Bedsole, Bennett, Biddle, Blake, Boles, Cabaniss, Carter, Cates, Cheatwood, Clark (G), Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Grouby, Hammett, Harper (O), Harper (T), Hines, Holley, Johnson (R. G.), Lewis, McKee, McMillan, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Sasser, Seibels, Smith (J), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Whatley and Williams.

—51

SUBSTITUTE ADOPTED

The question was then on the adoption of the substitute offered by Reps. Payne and Lewis to the bill, H. 1, and the substitute was adopted.

Yeas 52; Nays 11.

Yeas:

Reps. Adams (C), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Cabaniss, Carter, Cates, Cheatwood, Clark (G), Cosby, Crow, Daniels, Dixon, Edwards, Gafford, Gilmer, Grouby, Hammett, Harper (O), Harper (T), Hines, Holley, Howard, Johnson (R. G.), Lewis, McKee, McMillan, Mitchell, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Sasser, Seibels, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Wyatt and Zoghby.

—52

Nays:

Reps. Buskey, Clark (W), Escott, Harrison, Holmes, Horn, Kennedy, Langford, Nevett, Smith (C) and Tucker.

—11

AMENDMENT OFFERED

Rep. Smith (J) offered the following amendment to the bill, H. 1 as amended:

Amend H. B. 1 on page 2, line 10, by deleting the word "Franklin," and inserting in lieu thereof: Franklin,

On line 13, delete the words underlined.

Delete all of lines 14 and 15 and on line 16 delete the following words and figures "0064A and 0064B,

On line 22 delete the word "and" and insert in lieu thereof the word: and

Also on line 22, delete the words: and the Franklin county

Delete lines 23 and 24 in their entirety.

AMENDMENT TABLED

On motion of Rep. Coburn, the amendment offered by Rep. Smith (J) to the bill, H. 1, as amended, was tabled.

Yeas 37; Nays 8.

Yeas:

Reps. Bennett, Blake, Brakefield, Cheatwood, Cobb, Coburn, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Ford, Goodwin, Harper (O), Harvey, Higginbotham, Holley, Holmes, Johnson (R. G.), Langford, Letson, Lewis, McKee, Naramore, Owens, Patton, Pegues, Penry, Rains, Sasser, Starkey, Turner, Ward, Willis, Wyatt and Zoghby.

—37

Nays:

Reps. Albright, Hall, Parker, Riddick, Shavers, Smith (J), Smith (M) and Stout.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 1, as amended:

Amend H. B. 1, as substituted, on page 2, line 27, strike the figure "35" and on line 28 strike the figure "125" and in lieu thereof insert the figure:

129.04

On line 29, strike the figure "139.01" and on page 3, line 9, strike the figure "35"

On page 3, line 10, strike the figure "125" and in lieu thereof insert the figure:

129.04

On line 11, strike the figure "139.01"

MOTION TO TABLE LOST

The motion offered by Rep. Waggoner to table the amendment offered by Rep. Manley to the bill, H. 1, as amended, was lost.

Yeas 33; Nays 44.

Yeas:

Reps. Adams (C), Albright, Amari, Biddle, Cabaniss, Carter, Cheatwood, Cobb, Crow, Daniels, Dixon, Ford, Gafford, Hall, Harper (O), Higginbotham,

Holley, Johnson (R. G.), Lewis, McKee, Moore, Naramore, Olive, Parker, Payne, Rains, Riddick, Sasser, Seibels, Starkey, Stewart, Trammell and Waggoner.

—33

Nays:

Reps. Barton, Bedsole, Bennett, Blake, Brakefield, Buskey, Cates, Clark (G), Clark (W), Cooley, Cosby, Dial, Edwards, Escott, Gilmer, Grimsley, Grouby, Hammett, Harper (T), Harvey, Hines, Holmes, Howard, Jackson, Kennedy, Langford, Manley, Minus, Mitchell, Nevett, Owens, Pegues, Penry, Ray, Shoemaker, Smith (C), Stout, Tucker, Venable, Warren, Whatley, Willis, Wyatt and Zoghby.

—44

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Manley to the bill, H. 1 as amended, and the amendment was adopted.

Yeas 46; Nays 32.

Yeas:

Reps. Barton, Bedsole, Bennett, Blake, Brakefield, Buskey, Carter, Cates, Clark (G), Clark (W), Cooley, Cosby, Dial, Drinkard, Edwards, Escott, Gilmer, Grimsley, Grouby, Hammett, Harper (T), Harvey, Higginbotham, Hines, Howard, Kennedy, Manley, Minus, Mitchell, Nevett, Owens, Pegues, Penry, Ray, Sasser, Shoemaker, Smith (C), Starkey, Stewart, Turnham, Venable, Warren, Whatley, Williams, Willis and Zoghby.

—46

Nays:

Reps. Adams (C), Albright, Amari, Biddle, Cabaniss, Cheatwood, Cobb, Crow, Daniels, Dixon, Gafford, Hall, Harper (O), Holley, Holmes, Jackson Johnson (R. G.), Langford, Lewis, McKee, McMillan, Moore, Naramore, Olive, Parker, Payne, Rains, Seibels, Trammell, Tucker, Waggoner and Wyatt.

—32

AMENDMENT OFFERED

Rep. Edwards offered the following amendment to the bill, H. 1, as amended:

Amend H. B. 1, line 36 by deleting the word "Lowndes" and the words underlined and in lieu thereof insert the word: Lowndes

On page 2 delete lines 6, 7, 8, 35 and 36 and following the comma at the end of line 34 insert the words: and Lowndes County

On page 3 delete the underlined words on lines 5 and 6

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 32; Nays 1.

Yeas:

Reps. Adams (C), Barton, Blake, Campbell, Cates, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Harper (O), Holmes, Johnson (R. G.), Langford, Olive, Owens, Parker, Patton, Rains, Ray, Shoemaker, Smith (C), Stewart, Turnham, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—32

Nay: Rep. Grouby.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER TABLED

Having voted on the prevailing side, Rep. Cobb offered the motion to reconsider the vote by which the amendment offered by Rep. Smith (J) to the bill, H. 1 as amended, was tabled, and on motion of Rep. Coburn, the motion to reconsider was tabled.

Yeas 46; Nays 17.

Yeas:

Reps. Adams (C), Blake, Campbell, Carothers, Cates, Clark (G), Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Ford, Gafford, Goodwin, Harper (O), Harvey, Higginbotham, Holley, Holmes, Johnson (R. G.), Langford, Letson, Manley, Mitchell, Naramore, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Sasser, Shoemaker, Starkey, Stewart, Turnham, Ward, Warren, Whatley, Williams, Wyatt and Zoghby.

—46

Nays:

Reps. Albright, Barton, Brakefield, Cheatwood, Cobb, Gilmer, Hall, Hammett, Hines, Jackson, McKee, McMillan, Riddick, Seibels, Smith (J), Smith (M), and Willis.

—17

And the bill, H.1 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 17.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Jackson, Johnson (R. G.), Kelley, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Patton, Pegues,

Penry, Rains, Ray, Riddick, Sasser, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—73

Nays:

Reps. Albright, Amari, Biddle, Buskey, Clark (W), Gafford, Hall, Holmes, Langford, Lewis, Olive, Payne, Seibels, Smith (J), Trammell, Waggoner and Wyatt.

—17

RESOLUTION

The following resolution was introduced:

By Rep. Gafford:

H. J. R. 42. TO CREATE A CONTINUING INTERIM COMMITTEE TO OVERSEE AND MONITOR THE TELEPHONE SYSTEM.

WHEREAS, there is strong and recurring evidence that there has been illicit eavesdropping on telephone conversations on the telephone calls coming into and going out from the state telephone system and the possible illegal recording of private conversations made on the state telephone system; and

WHEREAS, this is a matter of grave import that needs continual monitoring by a permanent committee of the legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a continuing interim committee to oversee the state telephone system of the State of Alabama and to check into all facets of its operation including, but not limited to, illicit and illegal eavesdropping upon conversations originating from and coming into the state telephone system and the possible illegal recording of conversations on the state telephone system.

The committee shall be composed of six members of the house and six members of the senate appointed by the presiding officers of each house. The committee shall choose a chairman and vice chairman from among its members and adopt rules for its procedure and hearings.

The committee shall serve without pay. The committee shall have the full subpoena powers of a committee of the legislature.

All agencies of state government shall give the committee their full cooperation and the South Central Bell Telephone System is respectfully requested to furnish any expert advice and technical assistance to the committee that the committee may deem necessary.

The Clerk of the House shall furnish such clerical assistance as the committee shall require.

The committee shall make such reports to the legislature from time to time as it sees fit.

The resolution, H. J. R. 42, was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion offered by Rep. Clark (G) that the House adjourn until 3:00 o'clock p.m., Wednesday, August 12, 1981, was lost.

Yeas 15; Nays 63.

Yeas:

Reps. Barton, Campbell, Carothers, Cheatwood, Clark (G), Clark (W), Cooley, Escott, Harrison, Harvey, Howard, Jackson, Stout, Tucker and Williams.

—15

Nays:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Blake, Brakefield, Carter, Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Hines, Holley, Holmes, Johnson (R. G.), Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—63

MOTION TO SUSPEND RULES

Rep. Carter offered the motion to suspend the rules in order to take up out of order the bill, H. 13.

DIVISION OF THE QUESTION

Rep. Tucker called for the division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Carter to suspend the rules, and the motion was lost, lacking a four-fifths vote.

Yeas 67; Nays 20.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Bennett, Biddle, Blake, Bowling, Cabaniss, Carothers, Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Hines, Holley, Johnson (R. G.), Letson, Lewis, McKee, McMillan, Minus, Mitchell, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—67

Nays:

Reps. Albright, Barton, Buskey, Campbell, Cheatwood, Clark (G), Clark (W), Cooley, Escott, Harrison, Harvey, Higginbotham, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Trammell and Tucker.

—20

RESOLUTION

The following resolution was introduced:

By Rep. Bennett:

H. R. 43. URGING VARIANCE FOR WTTO-TV.

WHEREAS, Birmingham's proposed new Channel 21, WTTO-TV, finds itself confronted with the classic "Catch 22" situation in its 18-year battle to go on the air; and

WHEREAS, WTTO-TV has received a permit to begin operations from the Federal Communications Commission but faces further legal delays in its efforts to comply with a Federal Aviation Administration requirement that white strobe lights be used on its tower; and

WHEREAS, Citizen suits are being filed to prohibit the use of white strobes arising out of complaints in neighborhoods surrounding the station; and

WHEREAS, No air traffic accident is on record as ever having occurred on Red Mountain since the traditional red lighting system was placed in effect for other television towers in the area; and

WHEREAS, There is no clear cut evidence that white strobes will better protect the public than have the red lights in place for many years; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we hereby request that the FAA consider granting a variance to Channel 21 allowing it to use red lights as it has requested in order to break the stalemate which threatens to keep it off the air for years into the future.

BE IT FURTHER RESOLVED, That other stations similarly located on Red Mountain be offered the same consideration.

RESOLVED FURTHER, That copies of this resolution be sent to Honorable J. Lynn Helms, administrator of the Federal Aviation Administration in Washington, D. C., Mr. Charles Rountree, general manager of WTTO-TV, Birmingham and Mr. George Barger.

The resolution, H. R. 43, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Mitchem (With Notice and Proof):

S. 56. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 56, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 56. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Mitchem, Denton, Callahan and Cook:

S. 23. Providing that the State of Alabama Highway Department must have the approval of the state building commission before selling or purchasing any state land except for such land purchased through eminent domain.

Also:

By Messrs. Martin, St. John and deGraffenried:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 providing for withholding of salaries and expense allowances of certain elected and appointed public officials indicted for felonious offenses pending a determination of their guilt or innocence and providing for forfeiture of such compensation if found guilty and for recoupment of such compensation if found innocent.

Also:

By Mr. Pearson:

S. 70. To amend Section 2, Subsection D, 31, of Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to change the appropriation for the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama to the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham.

Also:

S. 38. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Also:

By Mr. Hilliard:

S. 28. To limit the liability of certain persons and organizations that donate and distribute food free of charge.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 23. State Administration.

SENATE MESSAGE

The Senate Bill, S. 19, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S 70. Ways and Means.

S. 38. State Administration.

S. 28. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Callahan:

S. 16. To amend Section 40-14-70, Code of Alabama 1975, relating to assessment and collection of corporate shares of stock so as to alter the method of assessment.

Also:

By Mr. Lemaster:

S. 12. To amend Section 16-11-3 of the Code of Alabama 1975 relating to the appointment of members of the board of education by the municipal governing body, so as to provide that by local law the legislature may provide that such members may be elected by the qualified voters as prescribed by such local law.

Also:

By Mr. Denton:

S. 2. To make a conditional supplemental appropriation to the Office of Secretary of State for the fiscal year ending September 30, 1982.

Also:

By Mr. Denton:

S. 3. To make a supplemental appropriation from the general fund in the state treasury to the Office of Secretary of State, for the current fiscal year and for the fiscal year ending September 30, 1982.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 16. State Administration.

S. 12. Local Government.

S. 2. Ways and Means.

S. 3. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Britnell (With Notice and Proof):

S. 36. Relating to Marion County; amending Act No. 79-642, H. 940, 1979 Regular Session (Acts 1979, p. 1124), which provides for clerical assistance for the tax assessor and tax collector, so as to increase the number and compensation of said clerical assistance.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 36, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Kirkland (With Notice and Proof):

S. 47. Relating to Monroe County; amending Act No. 686, H. 1677, 1975 Regular Session (Acts 1975, p. 1437), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws, so as to increase said allowance.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 47, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Kirkland (With Notice and Proof):

S. 48. Relating to Monroe County; amending Act No. 682, H. 1673, 1975 Regular Session (Acts 1975, p. 1435), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws," so as to increase said allowance.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 48, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Kirkland (With Notice and Proof):

S. 49. Relating to Escambia County; amending Sections 1 and 2 of Act No. 205, S. 375, 1969 Regular Session (Acts 1969, p. 524), as amended, relating to pistol permit fees in certain counties classified on a population basis, so as to increase the amount of such fees and provide further for the use thereof.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 49, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Mitchem (With Notice and Proof):

S. 58. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

I HEREBY CERTIFY THAT THE NOTICE & AND PROOF IS ATTACHED TO THE BILL, S. B. 58, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY.

Also:

By Mr. Lemaster (With Notice and Proof):

S. 59. Relating to the City of Scottsboro, Jackson County, Alabama; providing for an advisory referendum for the qualified electors to express whether the members of the city board of education shall be elected as herein provided; and providing for the election of such school board if approved in the referendum.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 59, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Taylor (With Notice and Proof):

S. 69. Relating to Wilcox County; to provide an additional clerk hire allowance for the tax collector, tax assessor and probate judge; and to provide for retroactive effect.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 69, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Weeks With Notice and Proof):

S. 78. To authorize the governing body of Macon County to impose a county license tax or fee on persons for the privilege of engaging in or following certain trades, occupations, or professions in such county, provided the levy is first approved at a referendum election held for such purpose; providing for the levy and collection of such licenses, for the enforcement thereof, and for the administration of this Act.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 78, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Messrs. Higginbotham and Little (With Notice and Proof):

S. 50. Relating to the Cities of Lanett and Valley in Chambers County; to authorize a contractual agreement between said cities relating to the distribution of certain taxes on sales by public utilities within the overlapping police jurisdiction of said cities; and to ratify any such prior agreement.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 50, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 36. Local Legislation No. 1.
- S. 47. Local Legislation No. 1.
- S. 48. Local Legislation No. 1.
- S. 49. Local Legislation No. 1.
- S. 58. Local Legislation No. 1.
- S. 59. Local Legislation No. 1.
- S. 69. Local Legislation No. 1.
- S. 78. Local Legislation No. 1.
- S. 50. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 30. COMMENDING THE COUNTRY MUSIC GROUP "ALABAMA".

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 30. Relative to legislative meeting dates August 12, 1981, and August 13, 1981.

Also:

H. J. R. 32. RELATING TO THE PRINTING OF THE JOURNALS.

Also:

H. J. R. 33. EXPRESSING APPRECIATION TO THE CLANTON, ALABAMA, JAYCEES.

Also:

H. J. R. 34. CONGRATULATING DR. THERON MONTGOMERY, PRESIDENT OF JACKSONVILLE STATE UNIVERSITY.

Also:

H. J. R. 35. COMMENDING MR. JAMES CUSIC HOLLIS ON HIS OUTSTANDING CAREER IN VOCATIONAL EDUCATION.

Also:

H. J. R. 36. CONGRATULATING THE INDEPENDENT ADVERTISER ON ITS RECENT AWARD.

Also:

H. J. R. 37. COMMENDING DEAN ROY DENNIS ROUSE OF AUBURN, ALABAMA.

Also:

H. J. R. 27. MOURNING THE DEATH OF MR. ARDIS EDMUND McCANTS, FORMER LONGTIME EMPLOYEE OF THE BIRMINGHAM NEWS.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Little:

S. J. R. 37. REQUESTING THE DEPARTMENT OF REVENUE TO STUDY TAX INCENTIVES TO ENCOURAGE INDIVIDUALS TO CARE FOR DEPENDENT ADULT FAMILY MEMBERS.

WHEREAS, the Legislature notes that families provide the major portion of support and assistance to Alabama's elderly citizens whose capabilities are limited by physical or mental impairments; and

WHEREAS, the Legislature believes that the State should encourage and assist families to care for dependent elderly relatives in their own homes in order to avoid institutionalization whenever possible; and

WHEREAS, the tax laws of this State currently offer little encouragement to families to provide care and support for their elderly family members; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Department of Revenue is hereby requested to study all possible tax incentives to encourage families to care for dependent adult family members in their own homes.

BE IT FURTHER RESOLVED, That the study shall consider tax incentives which have been established by other states and determine the applicability of similar innovations in the tax laws of Alabama; the study should determine the cost to the State associated with each tax incentive that is considered and the Legislative Fiscal Office is requested to provide any assistance necessary for this study.

RESOLVED FURTHER, That the Department of Revenue shall present its findings and recommendations to the Legislature no later than the fifteenth legislative day of the 1982 Regular Session of the Legislature.

SENATE MESSAGE

The resolution, S. J. R. 37, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith (J), the rules were suspended in order to take up out of order the bill, H. 21.

Yeas 41; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Brakefield, Carter, Cobb, Crow, Daniels, Dial, Dixon, Grimsley, Grouby, Hall, Hines, Holley, Holmes, Horn, Johnson (R. G.), Langford, Letson, McKee, McMillan, Naramore, Olive, Owens, Parker, Penry, Rains, Ray, Riddick, Shoemaker, Smith (C), Starkey, Stewart, Waggoner, Warren, Whatley, Willis, Wyatt and Zoghby.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 21. To provide further for the design of tags of vehicles of disabled veterans.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Blake, Brakefield, Buskey, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Escott, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Hines, Holmes, Johnson (R. G.), Kennedy, Langford, Letson, McKee, McMillan, Manley, Naramore, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Riddick, Shoemaker, Smith (C), Smith (J), Stewart, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—59

CO-SPONSORS ADDED

Rep. Holmes and Rains were added as co-sponsors to the bill, H. 21.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Ford, the rules were suspended in order to take up out of order the bill, H. 9.

Yeas 38; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Bedsole, Brakefield, Cobb, Cooley, Crow, Daniels, Dixon, Edwards, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Holmes, Kennedy, Langford, Letson, McKee, McMillan, Owens, Parker, Penry, Rains, Ray, Riddick, Sasser, Shoemaker, Smith (C), Stewart, Warren, Willis, Wyatt and Zoghby.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 9. To authorize the administration of the Gadsden State Junior College to use any proceeds of bonds issued as authorized by Act 138, S. 1, Second Special Session 1978 (Acts 1978, p. 1875), for the purpose of payment or retirement of any outstanding legal indebtedness.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 4.

Yeas:

Reps. Adams (H), Bedsole, Biddle, Blake, Brakefield, Buskey, Campbell, Carter, Cates, Clark (W), Cooley, Cosby, Crow, Daniels, Dixon, Edwards, Ford, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Holmes, Kelley, Kennedy, Langford, Letson, McKee, McMillan, Moore, Naramore, Owens, Parker, Patton Penry, Rains, Ray, Riddick, Sasser, Smith (C), Stewart, Venable, Warren, Willis, Wyatt and Zoghby.

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Nays: Reps. Albright, Cobb, Dial and Hall.

—4

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. McKee, the rules were suspended in order to take up out or order the bill, H. 26.

Yeas 42; Nays 0.

Yeas:

Reps. Adams (C), Albright, Barton, Bedsole, Blake, Carter, Cates, Clark (W), Cobb, Daniels, Dixon, Edwards, Grimsley, Grouby, Harper (O), Harper (T), Hines, Holley, Holmes, Horn, Kelley, Kennedy, Langford, McKee, McMillan, Naramore, Olive, Owens, Parker, Patton, Penry, Rains, Ray, Riddick, Seibels, Smith (C), Stewart, Venable, Waggoner, Warren, Willis and Wyatt.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 26. (With Amendment): Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 26 on page 1, Section 1, line 28 by adding after the word "House" the following:

This committee shall cease to function after it has made proper recommendation to the legislature as defined herein.

And the amendment was adopted.

Yeas 49; Nays 0.

Yeas:

Reps. Adams (H), Albright, Bennett, Blake, Bowling, Brakefield, Campbell, Carothers, Cates, Clark (W), Cosby, Daniels, Dixon, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (O), Holmes, Horn, Kelley, Kennedy, Langford, Letson, McKee, McMillan, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Riddick, Sasser, Seibels, Smith (C), Stewart, Venable, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

—49

PRESENCE OF A QUORUM AECERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 26 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Reps. Adams (H), Albright, Barton, Bedsole, Blake, Bowling, Brakefield, Campbell, Carothers, Cates, Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Holley, Holmes, Horn, Johnson (R. G), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Sasser, Seibels, Smith (C), Stewart, Venable, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

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CO-SPONSORS ADDED

Reps Langford and Holmes were added as co-sponsors to the bill, H. 26.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Pegues, the rules were suspended to postpone all bills on the Calendar in order to reach the bill, H. 10.

Yeas 49; Nays 2.

Yeas:

Reps. Adams (C), Bedsole, Blake, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Coburn, Cosby, Crow, Dixon, Edwards, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Hines, Holley, Holmes, Johnson (R. G), Kelley, Kennedy, Letson, McKee, McMillan, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Rains, Reed, Riddick, Sasser, Shoemaker, Smith (C), Stewart, Venable, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—49

Nays: Reps. Albright and Hall.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 10. to amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Bedsole, Bennett, Blake, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Hines, Holmes, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Stewart, Venable, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt or the Executive Department for same.

Delivered to the Governor at 5:25 P.M. on August 11, 1981.

H. J. R. 30.

H. J. R. 32.

H. J. R. 33.

H. J. R. 34.

H. J. R. 35.

H. J. R. 36.

H. J. R. 37.

H. J. R. 27.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Cates and pursuant to the resolution, H. R. 31 heretofore adopted, the House adjourned until 3:00 o'clock p.m., Wednesday, August 12, 1981.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Crow, Dial, Dixon, Escott, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Hines, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Letson, Manley, Moore, Nevett, Olive, Patton, Pegues, Reed, Sasser, Shoemaker, Stout, Tucker, Turner, Turnham, Waggoner, Warren, Whatley, Williams and Willis.

—55

Nays:

Reps. Cabaniss, Carter, Drinkard, Edwards, Gilmer, Holley, Johnson (R. G.), Kelley, McKee, McMillan, Naramore, Owens, Parker, Rains, Riddick, Seibels, Smith (C), Smith (J), Starkey, Stewart, Venable, Ward, Wyatt and Zoghby.

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FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 12, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Lawson Bryan, Minister, Dexter Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

JACK BIDDLE,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 44. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES THAT when the House adjourns today, Wednesday, August 12, 1981, it adjourns to meet again on Thursday, August 13, 1981, at 10:00 A.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 44, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Carter, leave of absence was granted for Rep. Roberts.

BILLS ON SECOND READING

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 20. (With Substitute) (With Amendments): To propose a constitutional amendment creating a reserve fund to be administered by the state treasurer under the direction of a select committee.

The above bill was read a second time at length as required by the Constitution.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 81. (With Substitute): To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm, or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61 (c), Code of Alabama, 1975, as amended on the storage, use, or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981 for storage, use or other consumption in this

state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 86. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame Board so as to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

S. 70. To amend Section 2, Subsection D, 31, of Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to change the appropriation for the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama to the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S.34. (With Substitute): To make annual appropriations for the support, maintenance and development of public education in Alabama for debt service and capital improvements for the fiscal year ending September 30, 1982.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 126. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

H. 125. To prescribe that no more than one commercial hazardous waste site shall be situated in any one county.

S. 28. To limit the liability of certain persons and organizations that donate and distribute food free of charge.

Rep. Shoemaker, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 101. To provide for governmental reform in the use of state aircraft; to establish the joint legislative, executive and judicial oversight committee on the use of state aircraft; to provide for the composition of membership, the meetings, and duties of the committee and staff; to provide for the reimbursement to the state treasury for charges for personal use of state aircraft; to prescribe that all state pilots shall maintain a log of all passengers and certain other data on the use of any state aircraft and file such log and data with the said committee; and to provide for legislative per diem and expenses and funds therefor.

S. 16. To amend Section 40-14-70, Code of Alabama 1975, relating to assessment and collection of corporate shares of stock, so as to alter the method of assessment.

S. 23. Providing that the State of Alabama Highway Department must have the approval of the state building commission before selling or purchasing any state land except for such land purchased through eminent domain.

H. 99. To amend Section 40-14-70, Code of Alabama 1975, relating to assessment and collection of corporate shares of stock, so as to alter the method of assessment.

H. 102. To amend Section 21-7-4, Code of Alabama 1975, relating to the right of blind persons to be accompanied by a guide dog, so as to extend said right to persons using a hearing dog.

S. 38. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Rep. Cabaniss, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 130. To provide that any member of the teachers' retirement system or the employees' retirement system of Alabama who shall have attained the service requirements for surviving spouse benefits may nominate such person as he may desire to receive any benefits payable on account of his death prior to his date of retirement.

Rep. Cabaniss, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 8. (With Amendment): To provide that the state agencies, departments, boards of commissions may purchase liability insurance or be the self-insurer of the wrongful acts or omissions committed by their employees, agents, or servants while in the performance of their official duties in the line and scope of their employment; to establish the procedure for notification of the State Attorney General of suits against state employees for acts committed in the line and scope of their performance; and to provide that the charges or costs of such liability insurance or self insurance shall be borne from the general operating funds of the various state agencies, boards, commissions or departments.

Rep. Willis, Chairman of the Standing Committee on Natural Resources, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 118. (With Substitute): To amend section 3 of Act 81-700 to exempt leases of public lands belonging to the state in amounts not exceeding \$2,000 from advertising and appraisal.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 83. To propose an amendment to the Constitution of Alabama of 1901, to authorize the establishment of a consolidated and unified system for the assessment and collection of taxes in Lamar County and for the abolition of the offices of tax assessor and tax collector of such county.

The above bill was read a second time at length as required by the Constitution.

H. 84. Relating to Lamar County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

S. 36. Relating to Marion County; amending Act No. 79-642, H. 940, 1979 Regular Session (Acts 1979, p. 1124), which provides for clerical assistance for the tax assessor and tax collector, so as to increase the number and compensation of said clerical assistance.

S. 47. Relating to Monroe County; amending Act No. 686, H. 1677, 1975 Regular Session (Acts 1975, p. 1437), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws, so as to increase said allowance.

S. 48. Relating to Monroe County; amending Act No. 682, H. 1673, 1975 Regular Session (Acts 1975, p. 1435), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session of the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws," so as to increase said allowance.

S. 49. Relating to Escambia County; amending Sections 1 and 2 of Act No. 205, S. 375, 1969 Regular Session (Acts 1969, p. 524), as amended, relating to pistol permit fees in certain counties classified on a population basis, so as to increase the amount of such fees and provide further for the use thereof.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 69. (With Substitute): Relating to Wilcox County; to provide an additional clerk hire allowance for the tax collector, tax assessor and probate judge; and to provide for retroactive effect.

Rep. Sandusky, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 59. (With Substitute): To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 127. To authorize the Barbour County Commission to compensate the Board of Equalization of Barbour County.

S. 50. Relating to the Cities of Lanett and Valley in Chambers County; to authorize a contractual agreement between said cities relating to the distribution of certain taxes on sales by public utilities within the overlapping police jurisdiction of said cities; and to ratify any such prior agreement.

S. 56. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

S. 58. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 6. COMMENDING MAYOR WILLIAM H. TUCK FOR HIS MORE THAN THREE DECADES OF SERVICE TO THE CITY OF EUTAW.

Also:

S. J. R. 7. COMMENDING ROGERS CUNNINGHAM BARNES ON HIS OUTSTANDING SERVICE AND RETIREMENT.

Also:

S. J. R. 8. COMMENDING MR. CLARENCE TURNIPSEED OF BREWTON, ALABAMA, PRESIDENT OF THE ALABAMA BANKERS ASSOCIATION.

Also:

S. J. R. 11. HONORING MR. JOHN S. WOOD UPON HIS RECENT RETIREMENT AS WASHINGTON COUNTY SUPERINTENDENT OF EDUCATION.

Also:

S. J. R. 12. COMMENDING MRS. MARY BOYKIN, NAMED "WOMAN OF THE YEAR" BY THE CENTRAL BALDWIN CHAMBER OF COMMERCE.

Also:

S. J. R. 13. COMMENDING MISS CINDY ST. JOHN OF FOLEY, ALABAMA, 1981 GIRLS STATE GOVERNOR.

Also:

S. J. R. 14. COMMENDING MR. WARD A. ROGNELSON UPON HIS RETIREMENT AS CITY CLERK FROM THE CITY OF CHILDERSBURG, ALABAMA.

Also:

S. J. R. 24. MOURNING THE DEATH OF MR. HARRY H. PRITCHETT, PROMINENT TUSCALOOSA BUSINESSMAN AND CIVIC LEADER.

Also:

S. J. R. 25. REQUESTING THAT PARKING SPACES IN THE WEST PORTION OF THE STATE PARKING LOT, BETWEEN PELHAM AND KING STREETS, BE RE-STRIPED IN A LOGICAL MANNER COMPATIBLE WITH THE ONE-WAY DIRECTION OF UNION STREET.

Also:

S. J. R. 31. MOURNING THE DEATH OF MR. H. J. HARRELL, PROMINENT ENTERPRISE INDUSTRIALIST.

Also:

S. J. R. 32. RECOGNIZING MR. CLAUDE M. ELROD FOR HIS CONTRIBUTIONS TO SNEAD STATE JUNIOR COLLEGE.

Also:

S. J. R. 33. COMMENDING MR. BENJAMIN D. MCGHEE, PROMINENT ALABAMA EDUCATOR.

Also:

S. J. R. 34. COMMENDING EDWARD D. JENKINS FOR HIS DEDICATED 40-YEAR CAREER IN THE JEFFERSON COUNTY AND BIRMINGHAM SCHOOL SYSTEMS.

Also:

S. J. R. 36. COMMENDING THE DADEVILLE HIGH SCHOOL TIGERS FOR OUTSTANDING ACHIEVEMENT IN SPORTS.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Gilmer:

H. R. 45. MOURNING THE DEATH OF MRS. VIRGINIA DOROTHY SPRUIELL MIXON OF SULLIGENT, LAMAR COUNTY, ALABAMA.

Also:

The following resolutions were introduced:

By Rep. Smith (J):

H. J. R. 46. COMMENDING VIRGIL J. UPTAIN ON HIS SERVICE AS CLERK OF THE DISTRICT COURT OF MADISON COUNTY.

WHEREAS, Virgil J. Uptain has served the District Court of Madison County and its predecessor courts, the Madison County Court and the General Sessions Court of Madison County, since August of 1966; and

WHEREAS, Virgil J. Uptain has recently announced his retirement from his position as Clerk of the District Court of Madison County; and

WHEREAS, Virgil J. Uptain has served Madison County with honor and distinction as the Clerk of its courts and is recognized throughout the State of Alabama as an outstanding court clerk and has been instrumental in bringing about numerous improvements in the court system in general and the District Court of Madison County in particular; and

WHEREAS, Virgil J. Uptain's career in public service has spanned a period of over fifty-eight years, forty of which were with the United States Postal Service; and

WHEREAS, Virgil J. Uptain is and has been a leader in Huntsville and Madison County, having held numerous offices in church and civic organizations, and is a devoted husband and father; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby commend Virgil J. Uptain on his many years of outstanding public service and further extend our appreciation to him for all his efforts on behalf of its citizens, and wish him well in his future endeavors.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Uptain that he may know of our sincere praise, appreciation and warm personal regards.

On motion of Rep. Smith (J), the rules were suspended and the resolution, H. J. R. 46, was adopted.

Also:

By Reps. Payne, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodate, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

H. J. R. 47. HONORING THE 276TH ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

WHEREAS, the Legislature has noted that on August 14-15, 1981, the members of the 276th Engineer Combat Battalion will unite in camaraderie, and in memory of comrades gone, in Nashville, Tennessee; and

WHEREAS, this extraordinary combat unit of World War II received a Presidential Citation for outstanding duty in action for the period of 9 March, 1945, to 17 March, 1945, for repairing and maintaining the famous Bridge of Remagen, which action was directly linked to the speedy and victorious end of the war; and

WHEREAS, further the 276th Engineer Combat Battalion, in meritorious service to our nation, earned three battle stars: the first for the "Battle of the Ardennes", the second for the "Battle of the Rhineland" and the third star for the "Battle of Central Germany"; and

WHEREAS, these brave and courageous men who served and sacrificed on our behalf have indeed earned the gratitude of our state's leaders and of all Alabamians; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we stand in tribute to the courage of the members of the 276th Engineer Combat Battalion, and voice our endless gratitude for their instrumental role in helping to preserve the freedom of our nation and our state.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for presentation at the forthcoming reunion of the 276th Engineer Combat Battalion in Nashville, Tennessee.

RESOLVED FURTHER, That Tech/4 Osby D. Story of Cookville, Tennessee, and Sergeant Hansel B. Payne of Trussville, Alabama, both of Company B, are forthwith charged with delivery of said resolution for presentation during the reunion of the Battalion.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 47, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Turner:

H. R. 48. COMMENDING MS. JUDY MCCAIN OF CITRONELLE, ALABAMA ON HER OUTSTANDING CAREER IN THE FIELD OF REAL ESTATE.

Also:

The following resolution was introduced:

By Reps. Penry, McMillan, Parker, Kennedy, Clark (W), Harper (T) and Bedsole:

H. J. R. 49. NAMING THE I-10 BRIDGE OVER MOBILE BAY THE "JUBILEE PARKWAY."

WHEREAS, it is the desire of the Eastern Shore Chamber of Commerce and the majority of the citizens of the Eastern Shore of Mobile Bay that the I-10 bridge over Mobile Bay be named the "Jubilee Parkway"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body hereby names and designates the entire span of the Interstate-10 bridge over Mobile Bay the "Jubilee Parkway."

BE IT FURTHER RESOLVED, That the State Highway Department in cooperation with the Federal Bureau of Roads shall cause appropriate signs and markers to be erected and maintained so designating said bridge as the "Jubilee Parkway."

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 49, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 5. PROCLAIMING THE DATES OF SEPTEMBER 4 THROUGH SEPTEMBER 7, 1981 AS S.O.B.E.R. DAYS IN ALABAMA.

Also:

S. J. R. 16. MOURNING THE DEATH OF COLONEL B. CONN ANDERSON OF AUBURN, ALABAMA.

Also:

S. J. R. 17. HONORING MR. MILLARD DAWSON UPON HIS RETIREMENT AS CAMPUS SECURITY CHIEF, AUBURN UNIVERSITY.

Also:

S. J. R. 18. COMMENDING DR. THOMAS BENJAMIN HAGLER UPON HIS RETIREMENT AS HEAD OF EXTENSION HORTICULTURE, AUBURN UNIVERSITY.

Also:

S. J. R. 23. HONORING DR. CARL BASCOMB GIBSON UPON HIS RETIREMENT FROM CHIROPRACTIC PRACTICE.

Also:

S. J. R. 26. NAMING THE NEW BRIDGE ON STATE HIGHWAY 17 WHICH SPANS THE TOMBIGBEE RIVER APPROXIMATELY FIVE MILES SOUTHWEST OF ALICEVILLE, PICKENS COUNTY, ALABAMA, "THE HUYCK BRIDGE".

On motion of Rep. Biddle, the resolutions, S. J. R. 5, S. J. R. 16, S. J. R. 17, S. J. R. 18, S. J. R. 23 and S. J. R. 26 were adopted.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Escott:

H. R. 50. COMMENDING THE REVEREND JAMES "RADIO-PASTOR" JACKSON.

H. 108 TEMPORARILY POSTPONED

On motion of Rep. McCorquodale, the bill, H. 108, was temporarily postponed.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Gafford and Rains:

H. R. 51. REQUESTING AN ADVISORY OPINION OF THE SUPREME COURT RELATIVE TO H. B. 38 OF THE 1981 FIRST SPECIAL SESSION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That we do respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinion on the following constitutional question which has arisen concerning the pending H. B. 38, which bill was introduced to propose a constitutional amendment to provide for the budgetary process, making appropriations and time frame therefor and substituted with a bill making such budgetary process and appropriations and time frame therefor statutory, copies of which are attached hereto and made a part hereof by reference:

1. Does the House substitution providing for the budgetary process, the making of appropriations and time frame therefor by statute to pending House Bill 38 which proposed a constitutional amendment for the budgetary process, the making of appropriations and time frame therefor violate the provisions of Section 61 of the Constitution of 1901, which provides:

"No law shall be passed by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose."

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send sufficient true copies of the pending H. B. 38, with attachments, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

MOTION TO SUSPEND RULES

Rep. Gafford offered the motion to suspend the rules and adopt the resolution, H. R. 51.

DIVISION OF THE QUESTION

Rep. Barton called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Gafford to suspend the rules in order to take up for immediate consideration the resolution, H. R. 51, and the motion was lost.

Yeas 10; Nays 31.

Yeas:

Reps. Albright, Cheatwood, Coburn, Harper (O), Holmes, Langford, Payne, Rains, Waggoner and Wyatt.

—10

Nays:

Reps. Adams (C), Barton, Bowling, Brakefield, Cates, Clark (G), Clark (W), Cosby, Daniels, Dixon, Grouby, Hammett, Higginbotham, Kennedy, Laird, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Sandusky, Seibels, Shoemaker, Stewart, Venable, Ward, Whatley, Willis and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The resolution, H. R. 51, was read and referred to the Standing Committee on Rules.

Also:

By Reps. Albright, Bowling, Cheatwood, Clark (W), Cobb, Drinkard, Gregg, Hall, Harvey, Higginbotham, Holmes, Kennedy, Langford, Rains, Reed, Riddick and Shavers:

H. J. R. 52. COMMENDING COACH JOSEPH HENDERSON OF ALABAMA A&M UNIVERSITY.

WHEREAS, Coach Joseph Henderson is a dynamic, determined individual who serves as track coach of both men and women at Alabama A&M University, Huntsville; and

WHEREAS, Coach Henderson demonstrated a great degree of excellence as a high school track coach, prior to coming to the University having coached the likes of Harvey Glance; and

WHEREAS, since the inception of women's track at the University almost four years ago, the Lady Bulldogs under the tutelage of Coach Henderson, has emerged as one of the premier women's teams in the south; and

WHEREAS, during the regular 1981 season the women's track team won every major meet on its schedule, including the Fisk University Relays, the AIAW State Championships at Jacksonville State University Track International, the Tuskegee Institute Relays and the Alabama A&M University Relays; and

WHEREAS, on May 2, 1981, the women's team won first place in the Southern Intercollegiate Athletic Association (SIAC) Championship for the second consecutive year, with the win in 1981 by an incredible 120 points; and

WHEREAS, on May 9, 1981, the women's team won first place in the Alabama Association of Intercollegiate Athletics (AAIAW), winning by 114 points over the nearest team; and

WHEREAS, on May 16, 1981, the women's team qualified an unbelievable 12 women for participation in the National AIAW Championship at Indiana University, placing 7th in that event out of 71 teams; also during the meet the women set two national records: the Mile Relay in a time of 3:44.20 and the Long Jump in a distance of 20' 5"; and

WHEREAS, under the guiding influence of Coach Henderson, A&MU had six women to make All-American in 1981, a feat which marked the first time in the history of the University that A&MU has had female All-Americans; and

WHEREAS, for the second consecutive year, Coach Joseph Henderson has been the winner of the coveted SIAC Coach of the Year Award (1979-80, 1980-81); now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend A&M Coach Joseph Henderson for his many extra-ordinary accomplishments and most particularly for the outstanding success of his Lady Bulldogs championship track teams.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the said Coach Joseph Henderson of Alabama A&M University.

On motion of Rep. Albright, the rules were suspended and the resolution, H. J. R. 52, was adopted.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Howard to suspend the rules in order to take up out of order the bill, H. 54, was lost, lacking a four-fifths vote.

Yeas 11; Nays 3.

Yeas:

Reps. Amari, Bennett, Boles, Cabaniss, Escott, Gilmer, Horn, Howard, Moore, Tucker, and Waggoner.

—11

Nays: Reps. Olive, Payne and Trammell.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES

Rep. Waggoner offered the motion to suspend the rules in order to take up out of order the bill, H. 51.

DIVISION OF THE QUESTION

Rep. Tucker called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES ADOPTED

The question was then on the motion offered by Rep. Waggoner to suspend the rules to take up out of order the bill, H. 51, and the motion was adopted.

Yeas 13; Nays 2.

Yeas:

Reps. Amari, Bennett, Boles, Cabaniss, Cheatwood, Escott, Gafford, Howard, Lewis, Moore, Payne, Seibels and Waggoner.

—13

Nays: Reps. Olive and Tucker.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 51. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the

Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 13; Nays 2.

Yeas:

Reps. Amari, Bennett, Boles, Cabaniss, Cheatwood, Escott, Gafford, Horn, Lewis, Moore, Payne, Seibels and Waggoner.

—13

Nays: Reps. Olive and Tucker.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Rep. Gafford:

H. J. R. 53. TO CREATE A CONTINUING INTERIM COMMITTEE TO OVERSEE AND MONITOR THE TELEPHONE SYSTEM.

WHEREAS, there is strong and recurring evidence that there has been illicit eavesdropping on telephone conversations on the telephone calls coming into and going out from the state telephone system and the possible illegal recording of private conversations made on the state telephone system; and

WHEREAS, this is a matter of grave import that needs continual monitoring by a permanent committee of the legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a continuing interim committee to oversee the state telephone system of the State of Alabama and to check into all facets of its operation including, but not limited to, illicit and illegal eavesdropping upon conversations originating from the coming into the state telephone system and the possible illegal recording of conversation on the state telephone system.

The committee shall be composed of six members of the house and six members of the senate appointed by the presiding officers of each house. The committee shall choose a chairman and vice chairman from among its members and adopt rules for its procedure and hearings.

The committee shall serve without pay. The committee shall have the full subpoena powers of a committee of the legislature.

All agencies of state government shall give the committee their full cooperation and the South Central Bell Telephone System is respectfully requested to furnish any expert advice and technical assistance to the committee that the committee may deem necessary.

The Clerk of the House shall furnish such clerical assistance as the committee shall require.

The committee shall make such reports to the legislature from time to time as it sees fit.

On motion of Rep. Gafford, the rules were suspended and the resolution, H. J. R. 53, was adopted.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Escott to suspend the rules in order to take up out of order the bill, H. 121, was lost, lacking a four-fifths vote.

Yeas 7; Nays 5.

Yeas:

Reps. Bennett, Cabaniss, Escott, Horn, Howard, Jackson and Tucker.

—7

Nays: Reps. Boles, Cheatwood, Olive, Payne and Trammell.

—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Howard, the rules were suspended in order to take up out of order the bill, H. 53.

Yeas 14; Nays 0.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Escott, Horn, Lewis, Moore, Olive, Payne, Seibels, Trammell and Waggoner.

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 53. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 22; Nays 0.

Yeas:

Reps. Albright, Amari, Bennett, Biddle, Boles, Buskey, Cabaniss, Escott, Gafford, Hall, Horn, Howard, Johnson (Roy), Lewis, Moore, Olive, Payne, Seibels, Smith (J), Trammell, Waggoner and Zoghby.

—22

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Howard to suspend the rules in order to take up out of order the bill, H. 54, was lost, lacking a four-fifths vote.

Yeas 11; Nays 3.

Yeas:

Reps. Albright, Bennett, Biddle, Cabaniss, Escott, Gafford, Howard, Moore, Trammell, Tucker and Waggoner.

—11

Nays: Reps. Cheatwood, Olive and Payne.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Waggoner, the rules were suspended in order to take up out of order the bill, H. 52.

Yeas 12; Nays 3.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Escott, Gafford, Howard, Lewis, Moore, Trammell and Waggoner.

—12

Nays: Reps. Horn, Payne and Tucker.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 52. To establish the salaries for the following officers of Jefferson County, Alabama: The President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide that the salaries as fixed by this Act shall take effect at the beginning of the next terms of office of said officers and the beginning of each term of office of said officers hereafter.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 13; Nay 1.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Escott, Gafford, Howard, Lewis, Moore, Trammell, Tucker and Waggoner.

—13

Nay: Rep. Payne.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Bennett to suspend the rules in order to take up out of order the bill, H. 28, was lost, lacking a four-fifths vote.

Yeas 10; Nays 4.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Escott, Horn, Howard, Lewis, Olive and Waggoner.

—10

Nays: Reps. Boles, Cheatwood, Payne and Trammell.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, H. 114, was lost, lacking a four-fifths vote.

Yeas 10; Nays 6.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Hines, Howard, Moore, Payne and Waggoner.

—10

Nays: Reps. Cheatwood, Horn, Olive, Seibels, Trammell and Tucker. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Cates, the rules were suspended in order to take up out of order the bill, H. 106.

Yeas 72; Nays 2.

Yeas:

Reps. Adams (C), Albright, Amari, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Clark (W), Cobb, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Trammell, Tucker, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

—72

Nays: Reps. Barton and Cosby.

—2

And the bill:

H. 106. A bill to amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in excess of the rate of interest provided by statute shall be deposited in the general fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Bedsole, Biddle, Blake, Boles, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—80

Nays: Reps. Barton and Cosby.

—2

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. McKee, the rules were suspended in order to take up out of order the bill, H. 25.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Blake, Buskey, Cabaniss, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Langford, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams and Willis.

—69

And the bill:

H. 25. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Biddle, Blake, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, Lewis, McKee, McMillan,

Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Penry, Rains, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—75

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith (J), the rules were suspended in order to take up out of order the bill, H. 22.

Yeas 54; Nays 9.

Yeas:

Reps. Amari, Barton, Bedsole, Bennett, Biddle, Buskey, Campbell, Carothers, Cates, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Edwards, Escott, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Johnson (R. G.), Kennedy, Langford, Letson, Lewis, Manley, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Riddick, Shavers, Starkey, Stewart, Trammell, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—54

Nays:

Reps. Boles, Cheatwood, Holley, Howard, Johnson (Roy), Naramore, Rains, Smith (C) and Smith (J).

—9

And the bill:

H. 22. To provide further for estates and the rights of spouses therein; to provide further for descent and distribution in the cases of intestacy; to amend Sections 43-3-1, as amended, and 43-3-10, Code of Alabama 1975, which provide for the descent and distribution of real estate and personalty, respectively, of an intestate, so as to provide further therefor; to repeal Section 43-3-12, Code of Alabama 1975, which relates to the husband's distributive share of his wife's estate.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Dial, Dixon, Edwards, Escott, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Reed, Riddick, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—73

RESOLUTION

The following resolution was introduced:

By Reps. Holmes, Reed and Barton:

H. J. R. 54. PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. GEORGE WASHINGTON CARVER IN THE STATE CAPITOL OR ON THE CAPITOL GROUNDS.

WHEREAS, Doctor George Washington Carver was a distinguished scientist, agricultural chemist and experimenter who brought great fame and worldwide recognition to the State of Alabama; and

WHEREAS, Dr. Carver came to Alabama and to Tuskegee Institute in 1896, remaining and serving his beloved university until his death in 1943; and

WHEREAS, in his research and experimental efforts for the university, Dr. Carver discovered over 300 byproducts of the peanut and more than 150 products of the sweet potato which were only two areas of his agricultural research serving to revolutionize the economy of the South and, indeed, the nation as well; and

WHEREAS, in gratitude for his brilliant contributions to our nation and the world, the Congress of the United States authorized the minting of a half-dollar coin in Dr. Carver's honor; and

WHEREAS, it is fitting that the State of Alabama also pay tribute to an outstanding citizen of our state and that such memorial be appropriately placed so that students, out-of-state visitors and all Alabama citizens may be reminded of the extraordinary place in history held by Dr. George Washington Carver; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Historical Commission is hereby directed to provide for the purchase or moulding of, and the placement in the Capitol or on the Capitol grounds, a bust or statue of George Washington Carver with an appropriate inscription thereon.

BE IT FURTHER RESOLVED, That expenses incurred for purchasing and placement of said bust or statue be paid out of funds from private donations, which the Department of Revenue shall designate as tax deductible, or from any other funds made available for said purpose.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. J. R. 54, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Owens, the rules were suspended in order to take up out of order the bill, S. 31.

Yeas 60; Nays 1.

Yeas:

Mr. Speaker, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Campbell, Carothers, Clark (G), Cobb, Coburn, Cooley, Cosby, Daniels, Dial, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, McMillan, Manley, Minus, Mitchell,

Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Riddick, Sasser, Seibels, Shoemaker, Starkey, Stewart, Trammell, Ward, Warren, Whatley and Williams.

—60

Nay: Rep. Wyatt.

—1

And the bill:

S. 31. (With Substitute): To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury and the special educational trust fund.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, in addition to any and all other appropriations heretofore or hereafter made, the amount of Seven Hundred and Fifty Thousand Dollars (\$750,000) from the general fund of the state treasury and Seven Hundred and Fifty Thousand Dollars (\$750,000) from the special educational trust fund for the fiscal year ending September 30, 1981, for salaries and expenses of the Legislature.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 57; Nays 1.

Yeas:

Mr. Speaker, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Campbell, Carothers, Clark (G), Cobb, Coburn, Daniels, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (T), Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Riddick, Sasser, Seibels, Shoemaker, Smith (M), Stewart, Trammell, Ward, Warren, Whatley and Williams.

—57

Nay: Rep. Wyatt.

—1

And the bill, S. 31 as thus amended, was read a third time at length and passed.

Yeas 69; Nays 2.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Reed, Riddick, Sasser, Seibels, Smith (M), Starkey, Stewart, Ward, Warren, Whatley and Williams.

—69

Nays: Reps. Willis and Wyatt.

—2

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Whatley the rules were suspended in order to take up out of order the bill, H. 49.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Buskey, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dixon, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Sasser, Starkey, Stewart, Trammell, Turner, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—74

H. 49 TEMPORARILY POSTPONED

On motion of Rep. Whatley, the bill, H. 49, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 19. EXPRESSING THE CONCERNS OF THE LEGISLATURE OVER THE RELEASE OF PRISONERS INTO SOCIETY.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Reps. McCorquodale and Manley:

H. J. R. 55. COMMENDING MR. BILL CASSITY, FORMER ADMINISTRATOR OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD.

WHEREAS, a native of Clarke County, Alabama, and now a resident of Montgomery, Mr. Bill Cassity is the former Administrator of the Alabama Liquefied Petroleum Gas Board; and

WHEREAS, Mr. Cassity was appointed to this chief administrative position on October 1, 1965, as the board's first administrator, and faithfully served in said capacity, with utmost ability, until his retirement on July 1, 1978; and

WHEREAS, Bill Cassity, who is a good friend and associate of many members of the Legislature, is much admired and held in high regard by those of us privileged to have worked with him during his pretigious tenure with the LP-Gas Board; and

WHEREAS, we note with regret, however, that Mr. Cassity is ill at this time but hopefully he will soon be restored to good health; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Bill Cassity on his outstanding tenure as Administrator of the Alabama Liquefied Petroleum Gas Board; we express gratitude for his service and also with him a speedy and complete recovery.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to our friend, Bill Cassity, that he and his family may know of our sincere best wishes and warm regard.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 55, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carter, the rules were suspended in order to take up out of order the bill, H. 13.

Yeas 68; Nays 17.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Blake, Boles, Cabaniss, Carter, Coburn, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (T), Harvey, Hines, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Olive, Parker, Patton, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Whatley, Willis, Wyatt and Zoghby.

—68

Nays:

Reps. Albright, Barton, Buskey, Cheatwood, Clark (G), Cobb, Cooley, Crow, Higginbotham, Howard, Jackson, Langford, Manley, Moore, Nevett, Tucker and Williams.

—17

And the bill:

H. 13. Proposing an amendment to the Constitution of Alabama relating to the prohibition of legal action by employees covered under workmen's compensation laws against co-employees; and defining co-employees.

Was taken up.

AMENDMENT TABLED

Rep. Blake offered the following amendment to the bill, H. 13:

Adding on Page 2, line 11, Section 2, the words "diseased, injured, or killed", after the word such.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cheatwood, Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—85

Nay: Rep. Tucker.

—1

AMENDMENT OFFERED

Rep. Cooley offered the following amendment to the bill, H. 13 as amended:

Amend the synopsis House Bill 13, Page 1 beginning on Line 12 and ending on Line 17 by deleting the following:

"to define co-employee for the purpose of this Act to include certain employees of the common employer, workmen's compensation insurance carriers of such employer, self-insured workmen's compensation funds, the personal representative of the employee, the union or union agent representing an employee, and persons making safety inspections on behalf of such employers."

Further amend House Bill 13, Page 2, Line 8 after the word prohibited add:

"unless the co-employee sued is guilty of willful or wanton misconduct."

Delete beginning on Line 8, Page 2:

"A co-employee is defined to include an officer, director, agent, servant, employee of the same employer, the personal representative of such person, the union or union agent representing such person, any workmen's compensation insurance carrier of the employer, any self-insured workmen's compensation fund, and any officer, director, agent, servant, or employee of such carrier or self-insured workmen's compensation fund, and in addition a person or persons making safety inspections for the benefit of the employer or its employees."

AMENDMENT TABLED

On motion of Rep. Carter, the amendment offered by Rep. Cooley to the bill, H. 13 as amended, was tabled.

Yeas 55; Nays 27.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Biddle, Cabaniss, Carter, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Grimsley, Hammett, Harper (O), Harper (T), Harvey, Hines, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Laird, Letson, McKee, McMillan, Minus, Mitchell, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Seibels, Shavers, Smith (C), Starkey, Stewart, Turnham, Venable, Waggoner, Ward, Warren, Whatley and Zoghby.

—55

Nays:

Reps. Albright, Barton, Boles, Bowling, Brakefield, Buskey, Campbell, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Escott, Goodwin, Grouby, Harrison, Higginbotham, Howard, Jackson, Langford, Moore, Nevett, Rains, Tucker, Turner and Williams.

—27

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 38. MOURNING THE DEATH OF MISS CYNTHIA DARLENE MYERS OF MONTGOMERY COUNTY, ALABAMA.

Also:

H. J. R. 39. MOURNING THE TRAGIC AND UNTIMELY DEATH OF ROBERT "BURGESS" PRUETT.

Also:

H. J. R. 40. MOURNING THE DEATH OF MR. EMORY WOMBLES OF RAMER, ALABAMA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 6. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Registrars of Henry County.

Also:

H. 7. Relating to Henry County; providing further for the expense allowance of the members of the county commission.

Also:

H. 14. To amend Act No. 81-229, 1981 Regular Session, entitled, "Relating to Sumter County, levying a fee on all hazardous and non hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violations," so as to provide further for the fees and disbursement thereof on private enterprises which make a profit burying or storing hazardous waste.

Also:

H. 15. Relating to Choctaw County; to provide an additional expense allowance for members of the county commission.

Also:

H. 35. To authorize the governing body of Lee County, Alabama, to levy and collect special county privilege and license taxes, generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes generally paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body, and for the enforcement of this act by the State Department of Revenue; to specify the maximum duration for which any such taxes may be levied; to prescribe penalties and fix punishment for violations of this act; and to provide for the expiration of those taxes levied and imposed under authority of Act No. 81-553 which is to be repealed concurrently with the effective date of any levy of taxes authorized in this act.

Also:

H. 56. To authorize the Covington County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; to prescribe the procedure for levying and collecting such assessments; and to provide certain exceptions thereto.

Also:

H. 66. To authorize the Elmore County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 73. Relating to law enforcement in Autauga County; to amend Act No. 871, H. 1200 of the Regular Session, 1969 (Acts 1969, p. 1580) as heretofore amended, an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

Also:

H. 74. Relating to Lowndes County; amending Section 1 of Act No. 80-319, S. 543 of the 1980 Regular Session (Acts 1980, p. 439), relating to clerical assistants for the tax assessor and tax collector of such county, so as to further provide that the Lowndes County Commission may appoint for each such official one additional full-time assistant and set the compensation payable for all clerical assistants to such officials, and making the provisions retroactive.

Also:

H. 11. Relating to DeKalb County; to provide further for the pay of each deputy sheriff who is engaged in hazardous duties.

Also:

H. 12. Relating to the City of Fort Payne, DeKalb County, Alabama; providing further for additional compensation for certain enforcement of state laws to certain municipal police officers for hazardous duty pay; excluding certain police officers who perform administrative or ministerial functions; providing that such compensation be paid from the municipality in the same manner as other compensation is paid to police officers.

Also:

H. 39. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Leeds, in Jefferson County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 5. PROCLAIMING THE DATES OF SEPTEMBER 4 THROUGH SEPTEMBER 7, 1981 AS S.O.B.E.R. DAYS IN ALABAMA.

Also:

S. J. R. 16. MOURNING THE DEATH OF COLONEL B. CONN ANDERSON OF AUBURN, ALABAMA.

Also:

S. J. R. 17. HONORING MR. MILLARD DAWSON UPON HIS RETIREMENT AS CAMPUS SECURITY CHIEF, AUBURN UNIVERSITY.

Also:

S. J. R. 18. COMMENDING DR. THOMAS BENJAMIN HAGLER UPON HIS RETIREMENT AS HEAD OF EXTENSION HORTICULTURE, AUBURN UNIVERSITY.

Also:

S. J. R. 23. HONORING DR. CARL BASCOMB GIBSON UPON HIS RETIREMENT FROM CHIROPRACTIC PRACTICE.

Also:

S. J. R. 26. NAMING THE NEW BRIDGE ON STATE HIGHWAY 17 WHICH SPANS THE TOMBIGBEE RIVER APPROXIMATELY FIVE MILES SOUTHWEST OF ALICEVILLE, PICKENS COUNTY, ALABAMA, "THE HUYCK BRIDGE."

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

H. 13 RESUMED

AMENDMENT OFFERED

Rep. Venable offered the following amendment to the bill, H. 13 as amended:

Amend H. B. 13 by deleting in its entirety Section 3 and inserting in lieu thereof the following:

Section 3. An election upon this proposed amendment shall be held on the date of the first primary, general or special election held after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Section 17-17-1 through 17-17-6 of the Code of Alabama 1975.

MOTION TO TABLE LOST

The motion offered by Rep. Carter to table the amendment offered by Rep. Venable to the bill, H. 13, was lost.

Yeas 20; Nays 58.

Yeas:

Reps. Adams (C), Albright, Amari, Bennett, Cheatwood, Dial, Drinkard, Grimsley, Hammett, Harvey, Holley, Horn, Johnson (Roy), Letson, Lewis, Owens, Patton, Payne, Pegues and Sasser.

—20

Nays:

Mr. Speaker, Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Buskey, Campbell, Clark (G), Clark (W), Cosby, Crow, Daniels, Dixon, Ford, Gafford, Gilmer, Grouby, Harper (O), Harper (T), Harrison, Higginbotham, Holmes,

Howard, Jackson, Johnson (R. G.), Laird, Langford, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Parker, Penry, Rains, Ray, Riddick, Sandusky, Shavers, Smith (C), Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—58

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Venable to the bill, H. 12 as amended, and the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Campbell, Carothers, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grouby, Hammett, Harper (O), Harper (T), Harrison, Harvey, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Smith (C), Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—79

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 13 as amended:

Amend House Bill 13, page 2, line 11 by deleting the following:

"any workman's compensation insurance carrier of the employer, any self-insured workmen's compensation fund,"

and further delete on page 2, line 14 the following:

"and in addition a person or persons making safety inspections for the benefit of the employer or its employees."

Further place a "period" after the word fund on line 14, page 2, House Bill 13.

MOTION TO TABLE LOST

The motion offered by Rep. Cabaniss to table the amendment offered by Rep. Manley to the bill, H. 13 as amended, was lost.

Yeas 34; Nays 46.

Yeas:

Reps. Adams (C), Bedsole, Cabaniss, Carter, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Hammett, Harvey, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Lewis, McMillan, Olive, Patton, Payne, Pegues, Riddick, Sandusky, Seibels, Starkey, Stewart, Stout, Turnham, Waggoner, Ward, Warren and Whatley.

—34

Nays:

Mr. Speaker, Albright, Amari, Barton, Bennett, Blake, Bowling, Brakefield, Buskey, Campbell, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Escott, Gilmer, Grouby, Harper (O), Harrison, Higginbotham, Holmes, Howard, Jackson, Kelley, Langford, McKee, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Rains, Sasser, Trammell, Tucker, Turner, Venable, Williams, Wyatt and Zoghby.

—46

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 6. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Registrars of Henry County.

Also:

H. 7. Relating to Henry County; providing further for the expense allowance of the members of the county commission.

Also:

H. 11. Relating to DeKalb County; to provide further for the pay of each deputy sheriff who is engaged in hazardous duties.

Also:

H. 12. Relating to the City of Fort Payne, DeKalb County, Alabama; providing further for additional compensation for certain enforcement of state laws to certain municipal police officers for hazardous duty pay; excluding certain police officers who perform administrative or ministerial functions; providing that such compensation be paid from the municipality in the same manner as other compensation is paid to police officers.

Also:

H. 14. To amend Act No. 81-229, 1981 Regular Session, entitled, "Relating to Sumter County, levying a fee on all hazardous and non hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collection of said fee; providing for the disbursement of said fee; providing for the organizing of the North Sumter County Development Authority; and providing penalties for violations," so as to provide further for the fees and disbursement thereof on private enterprises which make a profit burying or storing hazardous waste.

Also:

H. 15. Relating to Choctaw County; to provide an additional expense allowance for members of the county commission.

Also:

H. 35. To authorize the governing body of Lee County, Alabama, to levy and collect special county privilege and license taxes, generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and special county excise taxes generally paralleling the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended; to specify the rates at which such taxes may be levied; to provide for the ascertainment, collection, payment, and distribution and use of the proceeds of the said taxes if levied by the said governing body, and for the enforcement of this act by the State Department of Revenue; to specify the maximum duration for which any such taxes may be levied; to prescribe penalties and fix punishment for violations of this act; and to provide for the expiration of those taxes levied and imposed under authority of Act No. 81-553 which is to be repealed concurrently with the effective date of any levy of taxes authorized in this act.

Also:

H. 39. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Leeds, in Jefferson County.

Also:

H. 56. To authorize the Covington County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; to prescribe the procedure for levying and collecting such assessments; and to provide certain exceptions thereto.

Also:

H. 66. To authorize the Elmore County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 73. Relating to law enforcement in Autauga County; to amend Act No. 871, H. 1200 of the Regular Session, 1969 (Acts 1969, p. 1580) as heretofore amended, an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees.

Also:

H. 74. Relating to Lowndes County; amending Section 1 of Act No. 80-319, S. 543 of the 1980 Regular Session (Acts 1980, p. 439), relating to clerical assistants for the tax assessor and tax collector of such county, so as to further provide that the Lowndes County Commission may appoint for each such official one additional full-time assistant and set the compensation payable for all clerical assistants to such officials, and making the provisions retroactive.

Also:

H. J. R. 19. EXPRESSING THE CONCERNS OF THE LEGISLATURE OVER THE RELEASE OF PRISONERS INTO SOCIETY.

Also:

H. J. R. 38. MOURNING THE DEATH OF MISS CYNTHIA DARLENE MYERS OF MONTGOMERY COUNTY, ALABAMA.

Also:

H. J. R. 39. MOURNING THE TRAGIC AND UNTIMELY DEATH OF ROBERT "BURGESS" PRUETT.

Also:

H. J. R. 40. MOURNING THE DEATH OF MR. EMORY WOMBLES OF RAMER, ALABAMA.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

H. 13 RESUMED

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Manley to the bill, H. 13 as amended, and the amendment was adopted.

Yeas 67; Nays 20.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Campbell, Carothers, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dixon, Edwards, Escott, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harrison, Higginbotham, Holmes, Howard, Jackson, Johnson (R. G.), Laird, Langford, McKee, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Sasser, Smith (C), Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Williams and Zoghby.

—67

Nays:

Reps. Bedsole, Cabaniss, Carter, Drinkard, Ford, Hines, Holley, Johnson (Roy), Lewis, McMillan, Olive, Payne, Riddick, Sandusky, Seibels, Starkey, Stewart, Turnham, Whatley and Wyatt.

—20

And the bill, H. 13 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 14.

Yeas:

Mr. Speaker, Adams (C), Amari, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb,

Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—80

Nays:

Reps. Albright, Barton, Buskey, Cheatwood, Harrison, Higginbotham, Howard, Jackson, Langford, Moore, Nevett, Rains, Tucker and Williams.

—14

And the bill:

H. 108. Relating to Lawrence County; providing that the payment of an expense allowance in the amount of \$100.00 per month being paid by the County Commission to the members of the Board of Education shall be discontinued and thereafter such payment shall be paid from the public school funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cobb, Coburn, Cooley, Crow, Daniels, Dial, Edwards, Escott, Gafford, Goodwin, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Johnson (R. G.), Kelley, Langford, Letson, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Parker, Patton, Penry, Ray, Sasser, Seibels, Shoemaker, Smith (J), Starkey, Trammell, Venable, Ward, Williams, Willis, Wyatt and Zoghby.

—52

PRESENCE OF A QUORAM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Bedsole, the rules were suspended in order to take up out of order the bill, H. 61.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Bedsole, Biddle, Blake, Bowling, Cabaniss, Carter, Cheatwood, Cobb, Coburn, Daniels, Edwards, Gafford, Goodwin, Grimsley, Grouby, Harper (O), Harper (T), Higginbotham, Hines, Holley, Horn,

Johnson (R. G.), Johnson (Roy), Kelley, Lewis, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Riddick, Sandusky, Smith (J), Starkey, Trammell, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 61. (With Amendments): To provide that the local school boards shall be allowed to establish a damage deposit for textbooks distributed pursuant to Title 16, Chapter 36 of the Code of Alabama 1975; to provide for the amount of such damage deposit; to require receipt for such damage deposit; and to provide for the liability for such deposit.

Was taken up.

H. 61 TEMPORARILY POSTPONED

On motion of Rep. Bedsole, the bill, H. 61 with pending amendments reported by the Standing Committee on Education, was temporarily postponed.

H. 80 AGAIN TAKEN UP

On motion of Rep. Gafford, the bill:

H. 80. (With Substitute): Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Which was temporarily postponed on the fourth legislative day, was again taken up.

SUBSTITUTE OFFERED

Rep. Gafford offered the following substitute to the bill, H. 80 with pending substitute reported by the Standing Committee on Judiciary:

SUBSTITUTE FOR SUBSTITUTE TO H. 80

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget

session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature shall shorten the regular session by the same number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as provided by law:

PROPOSED AMENDMENT

Unless the legislature otherwise subsequently prescribes by statute for the date of commencement, the legislature shall convene on the second Tuesday of January of each year into a special session to be known as the "budget session," which shall be limited to 15 legislative days and 35 calendar days for the purpose of making appropriations for the educational and general operations of government for the following fiscal year. No other bill shall be introduced in such sessions.

During said special session the legislature may also make appropriations for charitable or educational institutions not under the absolute control of the state as provided for in Section 73 of the Constitution of Alabama of 1901.

Provided, that in 1983 and each fourth year thereafter, the legislature shall convene in the special session provided for above on the second Tuesday of February.

Unless otherwise subsequently provided by the legislature by statute for the commencement date of each regular session of the legislature, the legislature shall convene in regular session each year on the second Tuesday immediately following the adjournment of the annual special budget session. The legislature shall shorten the regular session each year by the same number of legislative and calendar days it used in meeting in the special session provided for by this amendment. The annual special budget session and the regular session together shall not exceed a total of 30 legislative days and 105 total calendar days.

If the legislature fails to make all such educational and general governmental operations appropriations in the annual special budget session, then at the following annual regular session, no bill shall receive its third reading in either house of origin until all such appropriation bills have first been passed.

The provisions of this amendment shall apply to the 1982 regular session, but shall not apply to each following regular session unless so provided by act of the legislature.

Section 2. An election upon the proposed amendment shall be held on December 8, 1981. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 14; Nays 4.

Yeas:

Reps. Gafford, Gilmer, Grimsley, Harper (O), Holmes, Horn, Johnson (R. G.), Langford, Olive, Payne, Rains, Seibels, Wyatt and Zoghby.

—14

Nays: Reps. Penry, Riddick, Stout and Whatley.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 80. Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature shall shorten the regular session by the same number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Was read a third time at length and lost.

Yeas 15; Nays 16.

Yeas:

Reps. Biddle, Boles, Carothers, Carter, Coburn, Gafford, Gilmer, Grimsley, Harper (O), Harper (T), Payne, Starkey, Waggoner, Williams and Wyatt.

—15

Nays:

Reps. Adams (C), Adams (H), Barton, Brakefield, Buskey, Cheatwood, Clark (W), Cosby, Dixon, Laird, Manley, Owens, Penry, Stout, Turner and Willis.

—16

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cook (With Notice and Proof):

S. 4. To supplement the salaries of the Circuit Judges of the Tenth Judicial Circuit.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 4, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 4. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. St. John:

S. 6. To further amend Section 41-9;3 of the Code of Alabama 1975, relating to the Alabama State Council on the Arts and Humanities, so as to bring the employees of such Council under the provisions of the Merit System.

Also:

By Mr. Gulledge:

S. 25. To amend Section 11-48-48, Code of Alabama 1975, which provides for the payment of municipal assessments for local improvements to

property, so as to adjust interest rates with respect to the payment of said municipal improvement assessments, and to provide an effective dates.

Also:

By Mr. St. John:

S. 41. To amend Section 2-7-31, Code of Alabama 1975, which relates to prizes and premium awards at agricultural fairs, so as to increase the maximum amount authorized to be paid to the members of the Special Awards Committee for Fairs for per diem and travel allowances.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 6. State Administration.
- S. 25. Ways and Means.
- S. 41. Agriculture and Forestry.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Martin:

S. 43. To amend section 3 of Act 81-700 to exempt leases of public lands belonging to the state in amounts not exceeding \$2,000 from advertising and appraisal.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 43. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Barron:

S. 81. To amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in

excess of the rate of interest provided by statute shall be deposited in the general fund.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 81. Ways and Means.

MOTION TO SUSPEND RULES

Rep. Shavers offered the motion to suspend the rules in order to take up out of order the bill, H. 116.

DIVISION OF THE QUESTION

Rep. Coburn called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Shavers to suspend the rules to take up out of order the bill, H. 116, and the motion was lost, lacking a four-fifths vote.

Yeas 23; Nays 21.

Yeas:

Mr. Speaker, Adams (H), Blake, Cooley, Cosby, Daniels, Drinkard, Edwards, Ford, Gilmer, Grimsley, Grouby, Harvey, Holley, Holmes, Johnson (Roy), McKee, Olive, Patton, Rains, Riddick, Seibels and Stout.

—23

Nays:

Reps. Amari, Brakefield, Campbell, Carothers, Clark (G), Coburn, Hines, Johnson (R. G.), Lewis, McMillan, Minus, Naramore, Payne, Pegues, Ray, Smith (C), Tucker, Turner, Turnham, Waggoner and Ward.

—21

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 31, To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury and the special educational trust fund.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 78. Providing for a decrease in the 1980-1981 appropriation to the teachers' retirement system; appropriating this amount as a portion of the state funding to the teachers' retirement system for the 1981-1982 fiscal year, in addition to all other sums hereinafter appropriated therefor for such 1981-1982 fiscal year.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 5:30 P. M. on August 12, 1981.

H. 6

H. 7

H. 11

H. 12

H. 14

H. 15

H. 35

H. 39

H. 56

H. 66

H. 73

H. 74

H. J. R. 19

H. J. R. 38

H. J. R. 39

H. J. R. 40

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Carothers and pursuant to the resolution, H. R. 44 heretofore adopted, the House adjourned until 10:00 o'clock a. m., Thursday, August 13, 1981.

Yeas 43; Nays 15.

Yeas:

Reps. Adams (C), Barton, Blake, Boles, Buskey, Campbell, Carothers, Clark (G), Coburn, Cooley, Cosby, Dixon, Edwards, Goodwin, Grouby, Harper (O), Harrison, Harvey, Higginborham, Hines, Holmes, Johnson (Roy), Kelley, Kennedy, Langford, Manley, Minus, Moore, Parker, Pegues, Rains, Reed, Riddick, Smith (J), Stout, Trammell, Tucker, Turner, Turnham, Warren, Whatley, Williams and Willis.

—43

Nays:

Reps. Bedsole, Carter, Drinkard, Harper (T), Holley, Johnson (R. G.), McKee, McMillan, Naramore, Olive, Owens, Payne, Seibels, Smith (C) and Starkey.

—15

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 13, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Felix James, Pastor, Hall Street Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser,

Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—104

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

JACK BIDDLE,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal of the fifth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 78. Providing for a decrease in the 1980-1981 appropriation to the teachers' retirement system; appropriating this amount as a portion of the state funding to the teachers' retirement system for the 1981-1982 fiscal year, in addition to all other sums hereinafter appropriated therefor for such 1981-1982 fiscal year.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

LEAVE OF ABSENCE

At the request of Rep. Carter, leave of absence was granted for Rep. Roberts.

BILLS ON SECOND READING

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 providing for withholding of salaries and expense allowances of certain elected and appointed public officials indicted for felonious offenses pending a determination of their guilt or innocence and providing for forfeiture of such compensation if found guilty and for recoupment of such compensation if found innocent.

The above bill was read a second time at length as required by the Constitution.

Rep. Kelley, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 6. To further amend Section 41-9-3 of the Code of Alabama 1975, relating to the Alabama State Council on the Arts and Humanities, so as to bring the employees of such Council under the provisions of the Merit System.

Rep. Whatley, Chairman of the Standing Committee on Agriculture and Forestry, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 41. To amend Section 2-7-31, Code of Alabama 1975, which relates to prizes and premium awards at agricultural fairs, so as to increase the maximum amount authorized to be paid to the members of the Special Awards Committee for Fairs for per diem and travel allowances.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 12. To amend Section 16-11-3 of the Code of Alabama 1975 relating to the appointment of members of the board of education by the municipal governing body, so as to provide that by local law the legislature may provide that such members may be elected by the qualified voters as prescribed by such local law.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 128. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

S. 59. Relating to the City of Scottsboro, Jackson County, Alabama; providing for an advisory referendum for the qualified electors to express

whether the members of the city board of education shall be elected as herein provided; and providing for the election of such school board if approved in the referendum.

S. 78. To authorize the governing body of Macon County to impose a county license tax or fee on persons for the privilege of engaging in or following certain trades, occupations, or professions in such county, provided the levy is first approved at a referendum election held for such purpose; providing for the levy and collection of such licenses, for the enforcement thereof, and for the administration of this Act.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 4. To supplement the salaries of the Circuit Judges of the Tenth Judicial Circuit.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 25. To amend Section 11-48-48, Code of Alabama 1975, which provides for the payment of municipal assessments for local improvements to property, so as to adjust interest rates with respect to the payment of said municipal improvement assessments, and to provide an effective date.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 43. (With Substitute): To amend section 3 of Act 81-700 to exempt leases of public lands belonging to the state in amounts not exceeding \$2,000 from advertising and appraisal.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 81. To amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in excess of the rate of interest provided by statute shall be deposited in the general fund.

H. 36. To amend Act No. 81-699, H. 464, 1981 Regular Session, which provides for the issuance of distinctive license plates to the recipients of the Medal of Honor or Prisoners of War, so as to provide further for the issuance of said plates.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 56. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business August 13, 1981, taking precedence over any other business of the House.

Report of Standing Committees

Introduction of Bills and Resolutions

Uncontested Local Bills

And the following bills:

By Mr. deGraffenried:

S. 14. p. 12 Oil and Gas Board

By Mr. Pearson:

S. 32. p. 13 Isolation Bill

By Mr. Callahan:

S. 16. p. 27 Corporate shares of stock

By Mr. Pearson:

S. 70. p. 24 Cystic fibrosis

By Rep. Owens:

H. 33. p. 10 State Personnel Board

On motion of Rep. Manley, the resolution, H. R. 56, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 37. REQUESTING THE DEPARTMENT OF REVENUE TO STUDY TAX INCENTIVES TO ENCOURAGE INDIVIDUALS TO CARE FOR DEPENDENT ADULT FAMILY MEMBERS.

On motion of Rep. Biddle, the resolution, S. J. R. 37, was adopted.

Also:

On motion of Rep. Biddle, the resolution, H. R. 43, was temporarily postponed.

Also:

S. J. R. 19. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO STUDY FEDERAL BLOCK GRANTS.

On motion of Rep. Biddle, the resolution, S. J. R. 19, was adopted.

Yeas 36; Nays 14.

Yeas:

Mr. Speaker, Adams (H), Barton, Biddle, Cabaniss, Carothers, Clark (W), Cooley, Dial, Dixon, Escott, Gilmer, Gregg, Grimsley, Grouby, Harper (T), Harrison, Harvey, Higginbotham, Hines, Horn, Howard, Kelley, Lewis, McKee, Olive, Owens, Payne, Sasser, Shoemaker, Starkey, Stewart, Waggoner, Warren, Williams and Zoghby.

Nays:

Reps. Albright, Brakefield, Campbell, Hall, Johnson (R. G.), Johnson (Roy), Laird, Langford, McMillan, Manley, Rains, Venable, Ward and Wyatt.

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Also:

On motion of Rep. Sasser, the resolution, H. J. R. 16, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy) the House concurred in and adopted the Senate amendment to the bill, H. 77, said Senate amendment being as follows:

Amend House Bill 77 Page 15, Line 32, by striking out the number "\$270,000" after the words "the sum of" on line 31 and inserting in lieu thereof the number "300,000"

Also amend House Bill 77, Page 29, Line 23 by striking out the number "\$270,000" after the words "the sum of" and inserting in lieu thereof the number "\$300,000"

Further amend House Bill 77 by striking the section 3-A-2 in its entirety and by inserting in lieu thereof the following Section 3-A-2:

"2. Arts and Humanities, Council
on the

(a) Fine Arts Program	1,006,000
(b) Alabama Symphony	250,000
(c) Alabama Shakespeare Festival	50,000
(d) Brown Arts Council	7,500
(e) Heritage Band	10,000
(f) Jefferson County Committee for Economic Opportunity, Inc. ...	25,000

(g) Alabama Outdoor Drama 10,000

SOURCE OF FUNDS:

(1) ASETF	608,500		
(2) Federal & Local Funds		750,000	
Total Council on the Arts and Humanities	608,500	750,000	1,358,500

In addition to the above appropriation, there is hereby appropriated \$50,000 for the Council on Arts and Humanities to be conditioned on the condition of the Alabama Special Educational Trust Fund and the approval of the Governor."

Amend House Bill 77 by striking Section 3-A-5 subsection (a) and by inserting in lieu thereof the following subsection (a):

(a) Instructional Technical Assistance Program 7,643,324

The proposed spending plan for the above is as follows:

Career Education 98,000
 Vocational Education ... 651,000
 Special Education Administration 450,000
 Kindergarten Admin. ... 100,000

SOURCE OF FUNDS:

(1) ASETF	1,299,000		
(2) Federal & Local Funds		6,344,324	
Total Instructional Technical Assistance Program	1,299,000	6,344,324	7,643,324

Further amend said bill on page 7, Section 3-A-5, subsection (d), line 8, by striking "2,000,000" and inserting "2,240,000". On lines 11 and 14 strike "3,143,000" and insert "3,383,000" and on lines 3 and 14 strike "10,476,575" and insert "10,716,575."

Further amend said bill on page 11 by striking lines 12-16 in their entirety and by inserting in lieu thereof the following:

SOURCE OF FUNDS:

(1) ASETF	28,460,500		
(2) Federal and Local Funds		57,668,633	

GRAND TOTAL DEPARTMENT
OF EDUCATION

	28,460,500	57,668,633	86,129,133
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Further amend House Bill 77 on page 13 after line 35 by inserting the following:

"In addition to the above appropriation for the Commission on Higher Education there is hereby appropriated \$250,000 to be conditioned upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor."

Further amend House Bill 77 page 33, after line 20 by inserting the following Section 4-A sub-section 3.

**"3. Opportunities Industrializa-
tion Centers**

(a) Skills Enhancement and Em- ployment Opportunities Pro- gram	100,000
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SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>
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Total Opportunities Industrializa- tion Centers	<u>100,000</u>	<u>100,000"</u>
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Further Amend House Bill 77 by striking Section 3-A subsection 13 in its entirety, and renumbering the subsequent sub-sections.

Further amend House Bill 77, Section 3-A-14 (which is entitled "Industrial Development Training Institute, Alabama") in its entirety and by inserting in lieu thereof the following Section 3-A-14.

**"14. Industrial Development
Training Institute, Alabama:**

(a) Industrial Training Program	1,360,000
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SOURCE OF FUNDS:

(1) ASETF	<u>1,360,000</u>
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Total Alabama Industrial Devel- opment Training Institute	<u>1,360,000</u>	<u>1,360,000</u>
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Further amend House Bill 77 on pages 17 and 18 by striking the section 3-A subsection 21 (entitled "Minimum Program and Public School Fund:") in its entirety and by inserting in lieu thereof the following section 3-A subsection 21, as follows:

**"21. Minimum Program and Pub-
lic School Fund:**

(a) Financial Assistance Program	461,400,533
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SOURCE OF FUNDS:

(1) ASETF	430,224,048
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(2) Public School Fund	26,500,000
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(3) Local Funds	<u>4,676,485</u>
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Total Minimum Program and Pub- lic School Fund	<u>430,224,048</u>	<u>31,176,485</u>	<u>461,400,533</u>
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The above appropriation shall be paid in accordance with Title 16, Article 3, Code of Alabama, 1975 and all other legislation pertaining thereto.

The appropriation hereinabove set out for the fiscal year 1981-82 is based on 23,811 teacher units.

It is provided in the event there are more than 23,811 earned teacher units for the fiscal year 1981-82, then such amounts necessary to pay for these excess teacher units are hereby appropriated. It is further provided that in the event that there be less earned teacher units than those set out above then the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid.

In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

For "Board of Adjustment" awards in accordance with the Minimum Program statutes and regulations an amount not to exceed \$150,000.

For "Salaries" the amount shall not exceed a total of \$351,436,689. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	2,507.30	\$ 41,189,924
I	15,382	12,536.49	192,836,289
II	13,392	8,767.21	117,410,476
III	11,276	0	0
IV	9,792	0	0
TOTALS		<u>23,811.00</u>	<u>\$351,436,689</u>

For "Other Current Expenses" an amount shall not exceed \$2,503.44 for each earned teacher unit but the total shall not exceed the sum of \$59,609,410. In addition, there is hereby appropriated \$6,000,000 for "Other Current Expenses", for teacher units funded under the Minimum Program and teacher units funded under the section entitled "Board of Education" which is Section 3-22 (h), (i), (j), (k), and (m), of this Act to be released conditioned on the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$1,544,620.

For "Principal Supplement" an amount not to exceed the total of \$2,381,100.

The above appropriation contained in sub-section (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$46,278,715."

Further amend House Bill 77 by striking the Section 3-A subsection 22 (entitled "Board of Education") in its entirety and insert in lieu thereof the following Section 3-A subsection 22 as follows:

"22. Board of Education

(a) Financial Assistance Program 249,102,413

SOURCE OF FUNDS:

(1) ASETF 249,102,413

Total Board of Education 249,102,413 249,102,413

- (a) To be distributed by State
Board of Education for: Hospital
Medical Insurance Assistance for
Professional Staff, Support Staff,
and Adult School Bus
Drivers 20,878,968

Of the appropriation hereinabove made for Hospital Medical Insurance there is hereby appropriated the sum of three hundred forty-six dollars and eighty-eight cents (\$346.88) per annum per teacher, administrative supervisory unit, full-time support employee, and adult school bus driver, provided that no more than \$346.88 shall be appropriated per person.

In addition, there is hereby appropriated \$8,500,000 for Hospital Medical Insurance Assistance for teachers, administrative supervisory units, full-time support employees, and adult school bus drivers, to be conditioned on the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

- (b) Teachers Sick Leave 3,723,744

Of the appropriation hereinabove made for Teachers' Sick Leave, the rate of not more than \$17 per day is hereby appropriated.

- (c) Support Personnel Sick Leave 1,564,483

The appropriation hereinabove shall provide sick leave in accordance with Act No. 208, 1977 Regular Session.

- (d) Teachers Personal Leave 925,598

The appropriation hereinabove made to Teachers' Personal Leave provides for two (2) days personal leave at \$17 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers).

- (e) Funds to Replace Fees 9,500,000

Of the appropriation hereinabove made for Funds to Replace Fees there is hereby appropriated two hundred fifty dollars (\$250) per teacher unit for grades K-6 and two hundred fifty dollars (\$250) per teacher unit for grades 7-12 for all teachers employed (except ESEA, Title I, Title III, and Title IV teachers and ESAA teachers).

- (f) Maintenance 5,630,287

- (g) Continuation of funds previously granted
for Special Education 25,048,991

\$1,200,000 shall be allocated for handicapped students in Vocational Education. Of the \$24,048,991 for Special Education \$350,000 shall be allocated to the Tuscaloosa Regional Handicapped School, \$350,000 shall be allocated to the Southwest Alabama School for Deaf and Blind and \$250,000 for the Vivian B. Adams School, \$25,000 shall be allocated to the Butler County Training School for the Mentally Retarded in Greenville, Alabama, \$25,000 shall be allocated to the Hope Haven School in Colbert County, \$25,000 shall be allocated to the Jasper Shriner School, \$25,000 shall be allocated to the Montgomery Institute of Neurological Development in Montgomery, Alabama, \$35,000 shall be allocated to the Birmingham Training Center for Brain-Injured Children in Birmingham, Alabama, \$25,000 shall be allocated to Project Independence in Coffee County, Alabama, \$50,000 to the Houston County Board of Education for the Vaughn-Blumberg

center for the Developmentally Disabled, and \$18,000 to Auburn University Preschool for Multi-handicapped children; and \$250,000 to the Alabama Institute for Deaf and Blind to implement the purposes of Act No. 106 and P. L. 94-142.

(h) Kindergarten teacher units 18,715,549

The above appropriation is for 1080 teacher units and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed a total of \$15,941,774. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	114	\$1,872,792
I	15,382	569	8,752,358
II	13,392	397	5,316,624
TOTALS		1080	\$15,941,774

For "Other Current Expenses" and amount not to exceed \$2,503.44 for each earned teacher unit but the total shall not exceed the sum of \$2,703,715.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$70,060.

(i) Supportive teacher units 29,509,929

The above appropriation provides for one extra unit or fraction thereof for each aggregate of fifteen units or fraction thereof earned on regular units in the Minimum Program, Kindergarten units in (h), and additional units in (k). The above appropriation is for 1703 teacher units and includes salaries, other current expenses, and capital outlay at the following rates:

For "Salaries" the sum shall not exceed a total of \$25,136,096. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	180	\$ 2,957,040
I	15,382	896	13,782,272
II	13,392	627	8,396,784
TOTALS		1703	\$25,136,096

For "Other Current Expenses" an amount not to exceed \$2,503.44 for each earned teacher unit but the total shall not exceed the sum of \$4,263,358.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$110,474.

(j) Continuation of Teacher Units to reduce
pupil-teacher ratio in grades 1-6 11,264,266

The above appropriation is for 650 teacher units and includes salaries, other current expenses, and capital outlay at the following rates:

For "Salaries" the sum shall not exceed \$9,594,864. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	69	\$1,133,532
I	15,382	342	5,260,644
II	13,392	<u>239</u>	<u>3,200,688</u>
TOTALS		650	\$9,594,864

For "Other Current Expenses" an amount not to exceed \$2,503.44 for each earned teacher unit but the total shall not exceed the sum of \$1,627,236.

For "Capital Improvements" an amount not to exceed the sum of \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$42,166.

(k) Special Education 57,114,209

The above appropriation is for 3250 teacher units and includes salaries, other current expenses, and capital improvements and transportation at the following rates:

For "Salaries" the sum shall not exceed \$47,967,202. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	342	\$ 5,618,376
I	15,382	1711	26,318,602
II	13,392	<u>1197</u>	<u>16,030,224</u>
TOTALS		3250	\$47,967,202

For "Other Current Expenses" an amount not to exceed \$2,503.44 for each earned teacher unit but the total shall not exceed the sum of \$8,136,180.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$210,828.

For "Transportation" the total shall not exceed \$800,000.

(1) Vocational teacher units . . 53,317,265

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon the recommendation of the State Superintendent.

(m) Driver Education 5,779,524

The above appropriation is for 324 driver education units or other teacher units as approved by the local Board of Education and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed \$4,947,391. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	50	\$ 821,400
I	15,382	225	3,460,950
II	13,392	49	665,041
TOTALS		324	\$4,947,391

For "Other Current Expenses" an amount not to exceed \$2,503.44 for each earned teacher unit but the total shall not exceed the sum of \$811,115.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$21,018.

(n) Salary increase for lunchroom workers formerly granted 6,129,600"

Further amend House Bill 77 on page 28, lines 4, 10, and 11 in the Subsection entitled "Physical Fitness, Commission of" by striking the figure "100,000" and inserting in lieu thereof "112,000".

Further amend House Bill 77 on page 31, line 16 in the Subsection entitled "Television Commission, Educational" by inserting the following:

"Of this appropriation, the following amounts are to be expended for the following: \$54,400 for University of Montevallo; \$54,400 for Alabama A & M University; \$79,500 for the Birmingham City Board of Education; \$62,775 for the Huntsville City Board of Education."

Further amend House Bill 77 by inserting on page 32, line 18 in the Subsection entitled "Youth Services, Department of" the following: "In addition to the above appropriation, there is also hereby appropriated to the Department of Youth Services the sum of \$300,000, to be conditioned upon the availability of funds and the approval of the Governor."

Further amend House Bill 77, page 33 by inserting after line 12 in the Subsection entitled "Environmental Quality Association, Alabama" the following:

"In addition to the above appropriation, there is also hereby appropriated to the Alabama Environmental Quality Association the sum of \$12,250, conditional upon the availability of funds and the approval of the Governor."

Further amend House Bill 77 Section 5-I-B, page 35, line 6 in the Subsection entitled "University of Alabama in Birmingham" by striking the figures "2,430,087" and "4,630,320" and inserting in lieu thereof the following: "2,230,087" and "4,430,320" respectively.

Further amend House Bill 77 on page 35, line 7 in the Subsection entitled "University of Alabama in Birmingham" by striking the figures "2,059,141" and "2,507,732" and inserting in lieu thereof the following: "1,859,141" and "2,307,732" respectively.

Further amend on page 35, line 11 in the Subsection entitled "University of Alabama in Birmingham" by striking the figure "3,437,581" and "6,107,767" and inserting in lieu thereof the following: "3,237,581" and "5,907,767" respectively.

Further amend on page 35, line 16 in the Subsection entitled "University of Alabama in Birmingham" by striking the figures "16,124,859" and "67,712,857" and inserting in lieu thereof the following: "16,724,859" and "68,312,857" respectively.

Further amend House Bill 77 in Section 5-XII on page 43, after line 17 in the subsection entitled "Board of Trustees for Alabama Institute for the Deaf and Blind" by inserting the following line:

"C. Hospital-Medical Insurance for Employees of the Alabama Institute for Deaf and Blind ...	228,000	228,000"
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Further amend House Bill 77 on page 43, lines 19 and 22 in the subsection entitled "Board of Trustees for Alabama Institute for the Deaf and Blind" by deleting the figure "7,172,840" and inserting in lieu thereof the figure "7,400,840".

Further amend House Bill 77 on page 43, line 22 in the subsection entitled "Board of Trustees for Alabama Institute for the Deaf and Blind" by deleting the figure "19,212,817" and inserting in lieu thereof the figure "19,440,817".

Further amend House Bill 77 on page 44, after line 12 by inserting the following:

"Trenholm State Technical College For Emergency Medical Services Program	100,000
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SOURCE OF FUNDS:

(1) ASETF	100,000
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Total Trenholm State Technical College for Emergency Medical Services Program	100,000	100,000"
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Further amend House Bill 77 on page 44 after line 12 by adding the following:

"Section 6A - Conditional Appropriations

(1) University of Alabama	1,252,413
(2) University of Alabama/ Birmingham	1,749,832
(3) University of Alabama/ Birmingham	

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A. School of Engineering	125,000
B. School of Business	125,000
(The above appropriation to the Schools of Engineering and Business is conditioned upon the receipts of matching funds from the private sector as well as the condition of the fund and approval of the Governor.)	
(4) University of Alabama/Huntsville	479,543
(5) University of Alabama/Huntsville Johnson Environmental and Energy Center	25,000
(6) Alabama A & M University .	405,755
(7) Alabama A & M University - Cooperative Extension & Research	200,000
(8) Alabama State University ...	177,119
(9) Athens State College	42,619
(10) Auburn University	914,550
(11) Auburn University-Ralph Draughon Library	100,000
(12) Agriculture Experiment Station-Auburn University	476,059
(13) Cooperative Extension Service-Auburn University	365,063
(14) Auburn University at Montgomery	142,120
(15) Jacksonville State University	260,149
(16) Jacksonville State University - United Cerebral Palsy Development Center for East Central Alabama	5,000
(17) Livingston State University	82,726
(18) University of Montevallo ...	262,877
(19) University of North Alabama	193,634
(20) University of South Alabama	541,709
(21) Troy State University	179,286
(22) Troy State University - Branch Campus at Phenix City	9,500"
(The above appropriations in Section 6A are to be conditioned upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.)	

Further amend House Bill 77 in Section 7 B, on page 44, lines 30 and 31 by striking "twenty-six million dollars (\$26,000,000)" and inserting in lieu thereof "twenty-six million five hundred thousand dollars (\$26,500,000)".

Further amend House Bill 77 on page 16, lines 5, 7, and 8 respectively by striking the figure "211,000" and by inserting in lieu thereof the figure "230,000".

Further amend H. B. 77, Section 5-A, page 34, line 8, strike "34,044,400" and insert in lieu thereof "33,720,587" and strike "66,858,676" and insert in lieu thereof "66,534,863"; on page 34, following line 30, insert the following:

"16. Law School Clinical Educa-		
tion	120,000	120,000";

on lines 32 and 34, strike "42,026,400" and insert in lieu thereof "41,822,587"; on line 34, strike "101,291,037" and insert in lieu thereof "101,087,224".

On page 35, line 4, strike "13,851,630" and insert in lieu thereof "13,358,698" and strike "27,769,378" and insert in lieu thereof "27,276,446"; on page 36, line 15, strike "190,000" and insert in lieu thereof "290,000" and after item 27 insert the following:

"28. Diabetic Institute	200,000	200,000";
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on lines 21 and 26, strike "63,975,600" and insert in lieu thereof "63,782,668"; on line 26, strike "227,590,497" and insert in lieu thereof "277,397,565."

On page 37, line 4, strike "6,216,639" and insert in lieu thereof "6,140,096" and strike "13,051,697" and insert in lieu thereof "12,975,154"; on lines 19 and 22, strike "11,232,000" and insert in lieu thereof "11,145,457"; on line 22, strike "22,793,329" and insert in lieu thereof "22,706,786".

On page 37, line 27, strike "8,830,052" and insert in lieu thereof "8,760,097", and strike "19,184,057" and insert in lieu thereof "19,114,102"; and on line 33 strike "9,079,200" and insert in lieu thereof "9,009,245" and strike "22,576,795" and insert in lieu thereof "22,506,840".

On page 38, lines 6, 9, and 11, strike "7,815,600" and insert in lieu thereof "7,755,381"; and on line 6 strike "12,529,320" and insert in lieu thereof "12,469,101"; on line 11, strike "16,562,529" and insert in lieu thereof "16,502,310".

On page 38, lines 15, 18, and 20, strike "1,508,000" and insert in lieu thereof "1,496,381"; on line 15, strike "2,531,268" and insert in lieu thereof "2,519,649"; on line 20, strike "2,778,036" and insert in lieu thereof "2,766,417."

On page 38, line 24, strike "37,333,874" and insert in lieu thereof "37,022,934." and strike "68,320,186" and insert in lieu thereof "68,009,246"; on page 39, lines 8 and 10, strike "40,355,640" and insert in lieu thereof "40,044,700" on line 10, strike "93,734,300" and insert in lieu thereof "93,423,360."

On page 39, lines 12, 14, and 17, strike "7,768,800" and insert in lieu thereof "7,708,941"; on lines 12 and 17, strike "17,172,417" and insert in lieu thereof "17,112,558."

On page 39, lines 19, 21, and 23, strike "8,444,313" and insert in lieu thereof "8,379,250" on lines 19 and 23, strike "17,960,866" and insert in lieu thereof "17,895,803."

On page 39, line 25, strike "5,807,535" and insert in lieu thereof "5,759,215" and strike "10,345,757" and insert in lieu thereof "10,297,437"; on page 40, lines 4 and 7, strike "6,271,200" and insert in lieu thereof "6,222,880" on line 7 strike "12,115,658" and insert in lieu thereof "12,067,338."

On page 40, line 12, strike "11,031,250" and insert in lieu thereof "10,941,101" and strike "15,621,422" and insert in lieu thereof "15,531,273" on lines 21 and 23, strike "11,700,000" and insert in lieu thereof "11,609,852"; on line 23, strike "18,031,272" and insert in lieu thereof "17,941,124."

On page 40, line 28, strike "3,632,400" and insert in lieu thereof "3,604,274" and strike "4,745,414" and insert in lieu thereof "4,717,288"; on lines 32 and 34, strike "3,650,400" and insert in lieu thereof "3,622,274"; on line 34, strike "6,513,090" and insert in lieu thereof "6,484,964."

On page 41, line 6, strike "5,730,728" and insert in lieu thereof "5,683,851" and strike "8,971,548" and insert in lieu thereof "8,924,671"; on lines 12 and 14, strike "6,084,000" and insert in lieu thereof "6,037,123" on line 14, strike "12,017,394" and insert in lieu thereof "11,970,517."

On page 41, line 19, strike "7,423,200" and insert in lieu thereof "7,365,866" and strike "12,681,448" and insert in lieu thereof "12,624,114"; on lines 23 and 25, strike "7,441,200" and insert in lieu thereof "7,383,866"; on line 25, strike "14,178,225" and insert in lieu thereof "14,120,891."

On page 41, line 30, strike "11,328,316" and insert in lieu thereof "11,144,139" and strike "21,458,748" and insert in lieu thereof "21,274,571"; on page 42 on lines 18 and 20, strike "23,903,568" and insert in lieu thereof "23,719,391"; and on line 20, strike "82,904,342" and insert in lieu thereof "82,720,165."

On page 42, line 26, strike "6,759,200" and insert in lieu thereof "6,695,014" and strike "11,461,489" and insert in lieu thereof "11,397,303"; on page 43 on lines 8 and 10, strike "8,330,400" and insert in lieu thereof "8,266,217"; on line 10, strike "20,859,815" and insert in lieu thereof "20,795,629."

Amend H. B. 77 as follows:

on page 16, item 16. LEGISLATURE on line 10 strike the figures "855,000" and insert in lieu thereof the figures "1,455,000"

Further amend H. B. 77 on page 16, line 11 by striking the figures "570,000" and inserting in lieu thereof the figures "970,000"

Further amend H. B. 77 on page 16, line 13 by striking the figures "1,425,000" and inserting in lieu thereof the figures "2,425,000"

Further amend H. B. 77 on page 16, line 14 by striking in both columns the figures "1,425,000" and inserting in lieu thereof the figures "2,425,000"

Also:

Amend House Bill No. 77 Page 30 Lines 13, 15 and 17, by striking out "80,424,668" in the subsection entitled "Social Security (ASETF Share)" and inserting in lieu thereof the following:

"79,424,668"

Amend House Bill No. 77 by inserting at the end of section 6A strike the parenthesis and insert in lieu thereof the following after the word Governor.

Provided however, that any funds allocated under this section shall be prorated among the institution listed. No allocation shall be made to one institution without all institutions receiving the same percentage of appropriations listed herein).

Amend House Bill No. 77, as amended Page 31 following Line 15, by inserting the following:

"In addition to the above appropriations made to the Educational Television Commission, the sum of \$200,000 is also hereby appropriated, conditioned on the condition of the Alabama Special Educational Trust Fund and the approval of the Governor".

Section 3. Page 12, line 12 strike "100,000" and insert in lieu thereof "128,559". and line 19 strike "100,000" and insert in lieu thereof "128,559". And line 22 strike "100,000" and insert in lieu thereof "128,559" also line 22 strike "100,000" and insert in lieu thereof "128,559" and further amend Page 30 line 6 strike "228,559" and insert in lieu thereof "200,000" and line 8 strike "228,559" and insert in lieu "200,000 and line 10 strike "228,559" also line 10 strike "228,559" and insert in lieu thereof "200,000".

Amend House Bill No. 77 amended Page 12, after Line 22, by inserting the following:

"In addition there is also hereby appropriated the sum of \$28,559, conditioned on the condition of the Alabama Special Educational Trust Fund and the approval of the Governor."

Yeas 40; Nays 32.

Yeas:

Reps. Albright, Amari, Bennett, Blake, Boles, Brakefield, Buskey, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Drinkard, Edwards, Escott, Hall, Harper (O), Harvey, Higginbotham, Holley, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Mitchell, Olive, Penry, Rains, Reed, Smith (C), Starkey, Trammell, Tucker, Turner, Turnham, Warren and Wyatt.

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Nays:

Mr. Speaker, Adams (H), Barton, Bedsole, Biddle, Campbell, Carothers, Cates, Clark (G), Cosby, Dial, Dixon, Grimsley, Grouby, Harper (T), Hines, Lewis, McKee, McMillan, Manley, Moore, Parker, Payne, Pegues, Shoemaker, Stewart, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

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MOTION TO RECONSIDER

Having voted on the prevailing side, Rep. Olive offered the motion to reconsider the vote by which the House concurred in the Senate amendment to the bill, H. 77.

MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy) to table the motion to reconsider offered by Rep. Olive, was lost.

Yeas 44; Nays 49.

Yeas:

Reps. Albright, Amari, Bennett, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (W), Cobb, Cooley, Crow, Daniels, Drinkard, Escott, Ford, Goodwin, Grimsley, Hall, Hammett, Harvey, Higginbotham, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Patton, Penry, Rains, Reed, Smith (C), Starkey, Trammell, Tucker, Turner, Turnham, Warren, Whatley and Wyatt.

—44

Nays:

Mr. Speaker, Adams (C), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Coburn, Cosby, Dial, Dixon, Edwards, Gafford, Gilmer, Gregg, Grouby, Harper (T), Harrison, Hines, Jackson, Kelley, Lewis, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Payne, Pegues, Riddick, Sasser, Shavers, Shoemaker, Smith (J), Smith (M), Stewart, Stout, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

—49

H. 77 RECONSIDERED

The question was then on the motion offered by Rep. Olive to reconsider the vote by which the House concurred in the Senate amendment to the bill, H. 77, and the motion to reconsider was adopted.

Yeas 49; Nays 46.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Coburn, Cosby, Dial, Dixon, Edwards, Gilmer, Gregg, Grouby, Harper (T), Harrison, Hines, Jackson, Kelley, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Payne, Pegues, Riddick, Sasser, Shavers, Shoemaker, Smith (J), Smith (M), Stewart, Stout, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

—49

Nays:

Reps. Albright, Amari, Bennett, Blake, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (W), Cobb, Cooley, Crow, Daniels, Drinkard, Escott, Ford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Harvey, Higginbotham, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Patton, Penry, Rains, Reed, Smith (C), Starkey, Trammell, Tucker, Turner, Turnham, Warren, Whatley and Wyatt.

—46

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Laird:

H. R. 57. HONORING THE LATE MORSE HAYNES, PROMINENT ALABAMA EDUCATOR.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 31. To make a supplemental appropriation for salaries and other expenses for the use of the Legislature for the fiscal year ending September 30, 1981, from the general fund of the state treasury and the special educational trust fund.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.

H. 77 RESUMED

MOTION TO NON-CONCUR

Rep. Owens offered the motion that the House non-concur in the Senate amendment to the bill, H. 77, and request a Committee on Conference to reconcile the differences between the two Houses.

SUBSTITUTE MOTION TABLED

On motion of Rep. Owens, the substitute motion offered by Rep. Hammett that the House concur in the Senate amendment to the bill, H. 77, was tabled.

Yeas 49; Nays 48.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cosby, Dial, Dixon, Edwards, Gafford, Gilmer, Gregg, Grimsley, Grouby, Harper (T), Harrison, Hines, Jackson, Lewis, McKee, McMillan, Manley, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Reed, Riddick, Sasser, Shoemaker, Smith (J), Smith (M), Stewart, Stout, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

—49

Nays:

Reps. Albright, Amari, Bennett, Boles, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Drinkard, Escott, Goodwin, Hall, Hammett, Harper (O), Harvey, Higginbotham,

Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Minus, Mitchell, Patton, Penry, Rains, Shavers, Smith (C), Starkey, Trammell, Tucker, Turner, Turnham, Warren, Whatley and Wyatt.

—48

The question was then on the motion offered by Rep. Owens that the House non-concur in the Senate amendment to the bill, H. 77, and a Committee on Conference be appointed to reconcile the differences between the two Houses, and the motion to non-concur was adopted.

Yeas 57; Nays 41.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Coburn, Cosby, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Gregg, Grimsley, Grouby, Harper (T), Harrison, Hines, Jackson, Johnson (R. G.), Kelley, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Reed, Riddick, Sandusky, Sasser, Shoemaker, Smith (J), Smith (M), Stewart, Stout, Turner, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—57

Nays:

Reps. Albright, Amari, Bennett, Blake, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (W), Cobb, Cooley, Crow, Daniels, Drinkard, Escott, Goodwin, Hall, Hammett, Harper (O), Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (Roy), Kennedy, Laird, Langford, Letson, Mitchell, Patton, Penry, Rains, Shavers, Smith (C), Starkey, Trammell, Turnham, Warren and Wyatt.

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COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House Reps. Owens, Sasser and Pegues.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report with substitute.

And the resolution, H. J. R. 16, which previously was temporarily postponed, was taken up, said resolution being as follows:

BUDGET MANAGEMENT ACT LEGISLATIVE REVIEW COMMITTEE CREATED

The question was then on the adoption of the substitute reported by the Standing Committee on Rules, said committee substitute being as follows:

BUDGET MANAGEMENT ACT LEGISLATIVE
REVIEW COMMITTEE CREATED

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a continuing interim Budget Management Act Legislative Review Committee. Said committee shall monitor state government to insure that the Budget Management Act (Act 494, 1976 Regular Session, Section 41-19-1 through 41-19-12, Code of Alabama 1975) is compiled with and observed. Said committee shall also make recommendations to the Legislature regarding improving the operation of the Budget Management Act. The study committee shall work with the governor's Office, the Legislative Fiscal Office, and with all department heads who shall cooperate with the committee.

The membership of said committee shall be the same members as those on the committee created to study the tax structure of the state, as found in Act 1178, H. J. R. 430, 1975 Regular Session, and Act 79-752, H. J. R. 250, 1979 Regular Session.

The study committee shall have the authority to employ secretarial assistance and research assistance. Each member of the committee shall receive per diem for each day he attends a meeting of the committee. The committee shall report their findings, recommendations, and suggested legislation to the Legislature by the tenth legislative day of the 1982 Regular Session. The study committee shall be funded from monies appropriated to the use of the Legislature for such purposes.

SUBSTITUTE ADOPTED

On motion of Rep. Biddle, the substitute was adopted.

And the resolution, H. J. R. 16 as amended, was adopted.

RESOLUTION

The following resolution was introduced:

By Rep. Laird:

H. J. R. 58. HONORING THE LATE MORSE HAYNES, PROMINENT ALABAMA EDUCATOR.

WHEREAS, though a native of Coweta County, Georgia, Morse Haynes, born October 30, 1907, moved to Alabama and to a farm in Randolph County at the age of seven; he attended Oak Hill Elementary School in Roanoke and graduated from Randolph County High School in 1930; and

WHEREAS, he entered Jacksonville State in Jacksonville, Alabama, completing the two-year course of study prescribed by the Board of Education for the state teachers colleges of Alabama, finishing in 1936; and

WHEREAS, Mr. Haynes received a B. S. Degree in Education from Alabama Polytechnic Institute, now Auburn University, in 1941, and a Master of Science Degree in Education, also from Auburn, in 1946; in addition to pursuing additional graduate studies, he also earned his AA Certificate in 1956; and

WHEREAS, for more than four decades, from 1931 until 1974, Morse Haynes dedicated himself to the cause of public education in Alabama, serving variously in Randolph and Chambers Counties as teacher, coach and principal for some 18 years, and as Superintendent of Education for Chambers County for 25 years; and

WHEREAS, a faithful member of Friendship Christian Church of Roanoke, Mr. Haynes, who died May 22, 1981, also was a member of Solomon Lodge Number 76 and the Heart of Dixie Sportsman's Club, and was a former Kiwanis Club member; he further was active as a Director in the Association of Alabama School Administrators and was a Director of the Farmers and Merchants Bank of LaFayette; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby recognize the outstanding contributions of the late Morse Haynes to public education in the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to the family of Mr. Morse Haynes, a prominent Alabama Educator and civic leader.

On motion of Rep. Laird, the rules were suspended and the resolution, H. J. R. 58, was adopted.

RECESS

On motion of Rep. Holley, the House recessed until 2:00 o'clock p. m.

HOUSE RECONVENED

The hour of 2:00 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 55. COMMENDING MR. BILL CASSITY, FORMER ADMINISTRATOR OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD.

Also:

H. J. R. 46. COMMENDING VIRGIL J. UPTAIN ON HIS SERVICE AS CLERK OF THE DISTRICT COURT OF MADISON COUNTY.

Also:

H. J. R. 47. HONORING THE 276th ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

Also:

H. J. R. 49. NAMING THE I-10 BRIDGE OVER MOBILE BAY THE "JUBILEE PARKWAY".

Also:

H. J. R. 52. COMMENDING COACH JOSPEH HENDERSON OF ALABAMA A & M UNIVERSITY.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 21. To provide further for the design of tags of vehicles of disabled veterans.

Also:

H. 91. Relating to the Cities of Lanett and Valley in Chambers County; authorizing said cities to contract for municipal services.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 19. To alter or rearrange the boundary lines of the Town of Nectar, Blount County, Alabama, so as to include therein and within the corporate limits of said Town territory not already included therein.

Also:

H. 42. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Thorsby in Chilton County.

Also:

H. 45. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

Also:

H. 50. Relating to Tuscaloosa County; providing an additional expense allowance for the sheriff and an expiration date therefor; and providing further for the sheriff's compensation in the next term of office for sheriff.

Also:

H. 92. Relating to Randolph County; to further regulate probate court fees.

Also:

H. 93. To authorize the Randolph County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the House non-concurred in the Senate amendment to the bill, H. 1 and requested a Committee on Conference be granted to reconcile the differences between the two Houses, said Senate amendment being as follows:

Amend H. B. 1 on page 2, line 10, by deleting the word "Franklin," and inserting in lieu thereof:

Franklin,

On line 13, delete the words underlined.

Delete all of lines 14 and 15 and on line 16 delete the following words and figures "0064A and 0064B,

On line 22 delete the word "and" and insert in lieu thereof the word:
and

Also on line 22, delete the words:

and the Franklin county

Delete lines 23 and 24 in their entirety.

Amend Substitute to House Bill No. 1 Page 1 Line 36 by inserting Lowndes County after the word and Benton Collirier and Lownesboro Division of Lowndes County

and by striking Lines 6, 7 and 8 on page 2 and renumbering thereof.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17-20-1, Code of Alabama 1975, is hereby amended to read as follows:

"§ 17-20-1.

"The state is hereby divided into seven congressional districts as follows:

"(1) The first district will be composed of the counties of Mobile, Washington, Clark, Monroe, Escambia, Baldwin and Wilcox.

"(2) The second district shall be composed of the counties of Montgomery, Bullock, Barbour, Pike, Crenshaw, Butler, Covington, Coffee, Dale, Henry, Houston, Geneva and Conecuh.

"(3) The third district shall be composed of the counties of Calhoun, Talladega, Clay, Randolph, Chambers, Tallapoosa, Coosa, Cleburne, Elmore, Macon, Lee, Russell, and Autauga and Lowndes that part of Lowndes County included in the Benton-Collins division (enumeration districts 0477 and 0478) and the Lowndesboro division (enumeration districts 0475 and 0476).

"(4) The fourth district shall be composed of the counties of Franklin, Marion, Lamar, Pickens, Fayette, Walker, Winston, Cullman, Blount, St. Clair, Etowah, Marshall, DeKalb, Cherokee, and Jefferson County preinct 12 as constituted November 1, 1970 all of that part of Franklin County not included in the Red Bay division (enumeration districts 0061T, 0061U, 0062, 0063A, 0063B, 0064A and 0064B), and that part of St. Clair County included in the Ashville division (tract 0404), the Ragland division (tract 0403) and the Springville division (tract 0405).

"(5) The fifth district shall be composed of the counties of Lauderdale, Colbert, Lawrence, Limestone, Morgan, Madison, and Jackson and the Franklin County Red Bay division (enumeration districts 0061T, 0061U, 0062, 0063A, 0063B, 0064A and 0064B).

"(6) The sixth district shall be composed of all that part of Jefferson County not included in census tracts 35, 100.01, 100.02, 101, 102, 103.01, 103.02, 104.01, 104.02, 122, 123.01, 123.02, 125, 138.01, 138.02, 139.01, 139.02, 140, 141.02, 141.03, 141.04, 141.05, 142.02, 142.03, 142.04, 143.01, 143.02, 144.02 and 144.03 preincts 1, 2, 4 and 12 as constituted November 1, 1970.

"(7) The seventh district shall be composed of the counties of Choctaw, Marengo, Dallas, Perry, Hale, Sumter, Greene, Tuscaloosa, Bibb, Chilton, and Shelby, that part of Lowndes County not included in the Benton-Collins division (enumeration districts 0477 and 0478) and the Lowndesboro division (enumeration districts 0475 and 0476), that territory in Jefferson County in preincts 1, 2 and 4 as such preincts were constituted on November 1, 1970; and that part of Jefferson County included in census tracts 35, 100.01, 100.02, 101, 102, 103.01, 103.02, 104.01, 104.02, 122, 123.01, 123.02, 125, 138.01, 138.02, 139.01, 139.02, 140, 141.02, 141.03, 141.04, 141.05, 142.02, 142.03, 142.04, 143.01, 143.02, 144.02 and 144.03, and the St. Clair County Moody division (tract 0401) and Pell City division (tract 0402)."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (M), Starkey, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—80

COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House Reps. Manley, Biddle and Ward.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Harper (T):

H. J. R. 59. URGING THE OIL COMPANIES DRILLING FOR HYDROCARBON RESOURCES IN THE WATERS OF ALABAMA TO HIRE ALABAMIANS.

WHEREAS, the great State of Alabama has an untold amount of hydrocarbon resources beneath the waters of Mobile Bay and the Gulf of Mexico; and

WHEREAS, the State of Alabama and the oil companies will benefit greatly from the production of these hydrocarbon resources; and

WHEREAS, the State of Alabama has another great resource in its people; and

WHEREAS, the oil companies should be encouraged to hire Alabamians to work in the exploration and production of the hydrocarbon resources; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mobil Oil, Shell Oil, Amoco Oil, Pogo Producing, Texaco Oil, Phillips Petroleum, Exxon Company USA, Union Oil, and Gulf Oil are requested to hire Alabamians in all available jobs in their search for hydrocarbon resources of the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each oil company holding leases with the State of Alabama in Mobile Bay and the Gulf of Mexico.

On motion of Rep. Harper (T), the rules were suspended and the resolution, H. J. R. 59, was adopted.

Also:

By Reps. Bennett and Turner:

H. J. R. 60. REQUESTING A STUDY OF ON-FLOOR TELEPHONE SERVICE

WHEREAS, it is deemed appropriate that members of both houses stay in as close contact with their constituents as possible, and

WHEREAS, many members make extensive use of the telephone as a means to maintain back-home contact, and

WHEREAS, the location of telephones on the second floor of the State Capitol and their limited numbers frequently keep legislators off the floor when important matters are being voted on, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislative Fiscal Office is requested to prepare a report of costs involved in having telephones placed between each pair of desks in both chambers and review what other states are doing as regards on-floor telephone service, and

BE IT FURTHER RESOLVED, that the Legislative Fiscal Office report back on its findings by the third day of the 1982 Regular Session.

On motion of Rep. Bennett, the rules were suspended and the resolution, H. J. R. 60, was adopted.

Also:

By Rep. McKee:

H. J. R. 61. EXPRESSING THE SENSE OF THE LEGISLATURE REGARDING ELIGIBILITY OF STRIKING AIR TRAFFIC CONTROLLERS FOR FOOD STAMP ASSISTANCE.

WHEREAS, the recent illegal nationwide strike by air traffic controllers has resulted in curtailment of normal air traffic throughout the county and has even affected flights to and from the United States and other nations; and

WHEREAS, the air traffic controllers, who have lost their jobs as a result of a strike in defiance of a court order, are without employment as a direct result of their own illegal actions; and

WHEREAS, though in the future, strikers will not be eligible for food stamps, as the law stands now, the discharged controllers are no longer considered strikers and, upon meeting eligibility requirements, will receive food stamps paid for by the very taxpayers who must suffer the consequences of the controllers' irresponsible and self-motivated actions; and

WHEREAS, a ruling on Monday, August 11, 1981, by the Agriculture Department's Food and Nutrition Service did, in fact, open the door for wholesale distribution of food stamps to some 12,000 striking controllers upon meeting eligibility requirements; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby vehemently protest the distribution of food stamps to any former air traffic controller discharged as a result of the recent strike by members of PATCO; we further maintain that the taxpayers of these United States have no obligation whatsoever, moral or otherwise, to support these individuals who in actuality "resigned" through an illegal act and defiance of a federal court.

BE IT FURTHER RESOLVED, That copies of this resolution be dispatched forthwith to the Director of the Food and Nutrition Service of the Department of Agriculture and to the Alabama Congressional Delegation in Washington, D. C.

The resolution, H. J. R. 61, was read and referred to the Standing Committee on Rules.

SPECIAL ORDER

The House then proceeded with the consideration of the bills on the Special Order Calendar.

And the bill:

H. 83. To propose an amendment to the Constitution of Alabama of 1901, to authorize the establishment of a consolidated and unified system for the assessment and collection of taxes in Lamar County and for the abolition of the offices of tax assessor and tax collector of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Payne, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

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And the bill:

H. 84. Relating to Lamar County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, providing for the compensation of such official, and repealing conflicting laws.

Was taken up.

AMENDMENT OFFERED

Rep. Gilmer offered the following amendment to the bill, H. 84:

Amend H. B. 84, page 2, Section 6, line 34, after the word "of" by striking the figure \$20,000 and inserting in lieu thereof the figure \$25,000

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Buskey, Carter, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Drinkard, Edwards, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Hines, Holmes, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Manley, Mitchell, Moore, Nevett, Olive, Owens, Pegues, Penry, Rains, Ray, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Warren, Whatley, Willis, Wyatt and Zoghby.

—62

And the bill, H. 84 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Buskey, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Drinkard, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Howard, Johnson (R. G.), Kennedy, Laird, Letson, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Pegues, Penry, Rains, Ray, Sandusky, Seibels, Shoemaker, Smith (C), Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Warren, Whatley, Willis, Wyatt and Zoghby.

—59

And the bill:

S. 36. Relating to Marion County; amending Act No. 79-642, H. 940, 1979 Regular Session (Acts 1979, p. 1124), which provides for clerical assistance for the tax assessor and tax collector, so as to increase the number and compensation of said clerical assistance.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Biddle, Bowling, Brakefield, Buskey, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holmes, Howard, Johnson (R. G.), Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Sandusky, Sasser, Shoemaker, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Willis, Wyatt and Zoghby.

—65

And the bill:

S. 47. Relating to Monroe County; amending Act No. 686, H. 1677, 1975 Regular Session (Acts 1975, p. 1437), as amended, entitled, "An Act

Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws, so as to increase said allowance.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bennett, Biddle, Bowling, Brakefield, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holmes, Howard, Johnson (R. G.), Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Sandusky, Sasser, Shoemaker, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Willis, Wyatt and Zoghby.

—62

And the bill:

S. 48. Relating to Monroe County; amending Act No. 682, H. 1673, 1975 Regular Session (Acts 1975, p. 1435), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session of the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws," so as to increase said allowance.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Holmes, Howard, Johnson (R. G.), Langford, Letson, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Sandusky, Shoemaker, Stewart, Trammell, Turner, Venable, Waggoner, Warren, Willis, Wyatt and Zoghby.

—61

And the bill:

S. 49. Relating to Escambia County; amending Sections 1 and 2 of Act No. 205, S. 375, 1969 Regular Session (Acts 1969, p. 524), as amended, relating to pistol permit fees in certain counties classified on a population basis, so as to increase the amount of such fees and provide further for the use thereof.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn,

Cosby, Crow, Daniels, Dixon, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Howard, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Manley, Mitchell, Moore, Nevett, Olive, Owens, Parker, Penry, Rains, Ray, Sandusky, Sasser, Seibels, Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Whatley, Willis, Wyatt and Zoghby.

—60

And the bill:

S. 69. (With Substitute): Relating to Wilcox County; to provide an additional clerk hire allowance for the tax collector, tax assessor and probate judge; and to provide for retroactive effect.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; to provide an additional clerk hire allowance for the tax collector, tax assessor and probate judge; and to provide for retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Wilcox County is hereby authorized to pay such additional amounts as necessary to make the total clerk hire allowance for the tax collector, tax assessor and probate judge an amount equal to \$650.00 per month each. Such sums shall constitute the total compensation payable to such clerks, in lieu of any and all other allowances, compensation and salary heretofore provided for by law for such clerks.

Section 2. The operation of this act shall be retroactive to May 1, 1981, and all actions taken and payments made pursuant thereto on and after that date are hereby ratified and confirmed.

And the substitute was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Buskey, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Holmes, Howard, Johnson (Roy), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Manley, Mitchell, Moore, Nevett, Olive, Owens, Parker, Penry, Rains, Ray, Sandusky, Sasser, Seibels, Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Willis, Wyatt and Zoghby.

—63

And the bill, S. 69 as thus amended, was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (G),

Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Ford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Higginbotham, Kelley, Kennedy, Letson, McMillan, Manley, Mitchell, Moore, Nevett, Olive, Owens, Penry, Rains, Ray, Sandusky, Sasser, Seibels, Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Willis, Wyatt and Zoghby.

—54

And the bill:

H. 127. To authorize the Barbour County Commission to compensate the Board of Equalization of Barbour County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Carter, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Higginbotham, Hines, Holmes, Johnson (Rôy), Kelley, Kennedy, Letson, Manley, Mitchell, Moore, Nevett, Olive, Owens, Parker, Rains, Sasser, Seibels, Smith (J), Stewart, Trammell, Turner, Venable, Willis and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 50. Relating to the Cities of Lanett and Valley in Chambers County; to authorize a contractual agreement between said cities relating to the distribution of certain taxes on sales by public utilities within the overlapping police jurisdiction of said cities; and to ratify any such prior agreement.

Was taken up.

SUBSTITUTE OFFERED

Rep. Laird offered the following substitute to the bill, S. 50:

A BILL TO BE ENTITLED AN ACT

Relating to the Cities of Lanett and Valley in Chambers County; to authorize a contractual agreement between said cities relating to the distribution of certain taxes on sales by public utilities within the overlapping police jurisdiction of said cities; and to ratify any such prior agreement.

Be It Enacted by the Legislature of Alabama:

Section 1. The Cities of Lanett and Valley in Chambers County are hereby authorized and empowered to make a contract to provide for the distribution of the Municipal License Tax, as measured by gross receipts, authorized and levied pursuant to Section 11-51-129 and Section 11-51-91,

Code of Alabama, 1975, on public utilities which make sales of utility services within the overlapping police jurisdiction of said cities. Any agreement or contract heretofore entered into by the cities for the distribution of such tax is hereby ratified.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Cates, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Ford, Gilmer, Goodwin, Grimsley, Hall, Hammett, Harper (O), Higginbotham, Hines, Holmes, Howard, Kelley, Langford, Letson, McMillan, Manley, Mitchell, Moore, Nevett, Olive, Owens, Parker, Penry, Rains, Ray, Sasser, Seibels, Smith (J), Trammell, Turner, Venable, Willis, Wyatt and Zoghby.

—53

And the bill, S. 50 as thus amended, was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Carter, Cates, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Holmes, Howard, Kelley, Langford, Letson, McMillan, Manley, Mitchell, Moore, Nevett, Olive, Owens, Pegues, Penry, Rains, Ray, Sasser, Seibels, Smith (J), Trammell, Turner, Venable, Willis, Wyatt and Zoghby.

—54

And the bill:

S. 56. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

Was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Ford, Goodwin, Grimsley,

Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Holmes, Kelley, Laird, Langford, Letson, McMillan, Manley, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Pegues, Penry, Rains, Ray, Sasser, Seibels, Smith (J), Stewart, Venable, Willis, Wyatt and Zoghby.

—55

And the bill:

S. 58. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to, approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

Was read a third time at length and passed.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Biddle, Brakefield, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Ford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Higginbotham, Hines, Holmes, Howard, Kelley, Laird, Langford, Letson, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Nevett, Olive, Pegues, Penry, Rains, Ray, Sasser, Smith (J), Venable, Willis, Wyatt and Zoghby.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 14. To appropriate \$250,000.00 from the state general fund to the state oil and gas board for the fiscal year ending September 30, 1982 for the general operations of the board.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Buskey, Cabaniss, Campbell,

Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

—84

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Proctor, Parsons, and deGraffenried.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Pearson, Proctor, and McDonald.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 58. HONORING THE LATE MORSE HAYNES, PROMINENT ALABAMA EDUCATOR.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Whatley, the rules were suspended in order to take up out of order the bill, H. 49.

Yeas 53; Nays 1.

Yeas:

Reps. Adams (C), Adams (H), Albright, Amari, Bowling, Brakefield, Carter, Clark (G), Coburn, Cooley, Cosby, Crow, Daniels, Dixon, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Hines, Holley, Holmes, Johnson (R. G.), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Naramore, Nevett, Olive, Penry, Ray, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Venable, Waggoner, Whatley, Willis, Wyatt and Zoghby.

—53

Nay: Rep. Johnson (Roy).

—1

And the bill:

H. 49. To amend Section 7 of Act No. 80-586 (Acts of 1980, p. 913; now appearing in the 1980 Cumulative Supplement to the 1975 Code of Alabama as Section 2-3A-7), enacted at the 1980 Regular Session of the Legislature of Alabama providing for the incorporation of the Alabama Agricultural Development Authority to authorize the Authority to invest its funds in additional kinds of investments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harrison, Higginbotham, Hines, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Naramore, Nevett, Olive, Owens, Patton, Payne, Penry, Ray, Riddick, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—78

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Bennett to suspend the rules in order to take up out of order the bill, H. 28, was lost, lacking a four-fifths vote.

Yeas 12; Nays 9.

Yeas:

Reps. Albright, Amari, Bennett, Cabaniss, Carter, Clark (W), Escott, Hall, Rains, Venable, Waggoner and Zoghby.

—12

Nays:

Reps. Cheatwood, Harrison, Horn, Howard, Nevett, Olive, Payne, Trammell and Tucker.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Reps. Carothers and Grimsley:

H. J. R. 62. HONORING MR. JOHN H. GLANTON, SR., DOTHAN, ALABAMA.

WHEREAS, Mr. John H. Glanton, Sr., born July 3, 1891 in Abbeville, Alabama, celebrated his 90th Birthday, July 3, 1981; and

WHEREAS, Mr. Glanton, one of the most outstanding leaders in the Dothan Community, has been a businessman and civic leader in Dothan for more than 50 years; and

WHEREAS, he was a founder of the Biracial Study Club and of the Renaissance Club and has been active in the Masonic Order since 1912 and has received the highest degree in Masonry. He has also been treasurer, chairman of the deacons and chairman of the trustee board of First Missionary Baptist Church in Dothan; and

WHEREAS, continuing to serve his Community, Mr. Glanton is a board member of the Hawk-Houston Boys Club and is a Rotarian and was appointed a "Paul Harris Fellow", the highest award presented by Rotary International; and

WHEREAS, his success in the business world is attested by the development of the J. H. Glanton Home Builders and Real Estate Company in which he is still active in the rental division of the family enterprise; and

WHEREAS, Mr. Glanton's greatest contributions have been in his work as a leader among blacks and in his endeavors to foster good race relations; and

WHEREAS, many family members and friends joined to pay tribute to Mr. Glanton on his 90th Birthday at Westgate Memorial Park; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. John H. Glanton, Sr. merits the highest acclaim of the State of Alabama for his achievements and contributions to the City of Dothan and to his fellowman.

BE IT FURTHER RESOLVED, That a copy of this resolution be included in the permanent proceedings of the Alabama Legislature and that a copy be sent to Mr. Glanton.

On motion of Rep. Carothers, the rules were suspended and the resolution, H. J. R. 62, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 32. To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

Was taken up.

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment to the bill:

In the title, on page 2, line 3, strike the number "1982" and insert in lieu thereof the numbers:

1983

In Section 1, on page 3, line 22, strike the numbers "1982" and insert in lieu thereof the numbers:

1983

In Section 2, on page 4, on line 34, insert after the word "held" the words:
at the first statewide primary or general election

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 86; Nays 2.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Higginbotham, Hines, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Minus, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Penry, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Williams, Willis and Zoghby.

—86

Nays: Reps. Rains and Wyatt.

—2

SUBSTITUTE OFFERED

Rep. Venable offered the following substitute to the bill, S. 32 as amended:

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Consitution of Alabama providing for timely passage of appropriation bills.

Be It Enacted by the Legislature of Alabama:

Section 1. (A) By the second legislative day of each regular session of the Legislature, beginning January 1, 1982, the Governor shall transmit to the Legislature a proposed budget for the ensuing fiscal period.

(B) No other bills shall be signed by either the presiding officer of the House or Senate or transmitted to the other house until the presiding officer of each house shall signed and presented to the Governor bills making basic appropriations for ensuing fiscal period.

(C) The provisions of this amendment are not applicbale to any bill passed by a four-fifths majority of the house membership considering the bills, nor to resolutions or other legislative functions not requiring a third reading.

(D) No subsequent executive amendments or vetoes, or no judicial decree or opinion affecting the appropriation bills shall reactivate paragraph (B).

(E) The Legislature may, by statue or rule, make such further provisions for the timely passage of bills making the Basic Appropriations as are not inconsistent with the provisions of this Constitution.

Section 2. An election upon the proposed amendment is ordered to be held at the first statewide primary, or general election after the expiration of three (3) months from the final adjournment of the session of the Legislature at which this bill is enacted. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901 and Title 17, Chapter 17, Code of Alabama of 1975.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in every county in the state for four successive weeks next preceding the day herein appointed for the election, such publication to be made once a week for four consecutive weeks next preceding the day so appointed, in a newspaper published in each such county; provided, that in any county in which there may be no newspaper published, the proclamation shall be published by posting, for a period of not less than four consecutive weeks next preceding the day so appointed, a copy of said proclamation at each courthouse in the said county. A newspaper shall be deemed to be published in a county, within the meaning of this section, if its principal editorial office is located in that county.

SUBSTITUTE TABLED

On motion of Rep. Clark (G), the substitute offered by Rep. Venable to the bill, S. 32 as amended, was tabled.

Yeas 56; Nays 38.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bennett, Boles, Bowling, Brakefield, Buskey, Cabaniss, Cates, Clark (G), Clark (W), Cobb, Cosby, Daniels, Edwards, Escott, Ford, Goodwin, Grimsley, Harper (T), Harvey, Higginbotham, Hines, Holmes, Kennedy, Laird, Letson, McMillan, Minus, Naramore, Nevett, Olive, Owens, Parker, Patton, Penry, Reed, Riddick, Sandusky, Seibels, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Tucker, Turner, Waggoner, Ward, Warren, Williams and Zoghby.

—56

Nays:

Reps. Albright, Bedsole, Campbell, Carothers, Carter, Coburn, Cooley, Crow, Drinkard, Gafford, Gilmer, Gregg, Grouby, Hall, Hammett, Harper (O), Harrison, Holley, Horn, Johnson (R. G.), Johnson (Roy), Kelley, Langford, McKee, Mitchell, Moore, Payne, Pegues, Rains, Ray, Shavers, Smith (M), Starkey, Turnham, Venable, Whatley, Willis and Wyatt.

—38

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 19. To alter or rearrange the boundary lines of the Town of Nectar, Blount County, Alabama, so as to include therein and within the corporate limits of said Town territory not already included therein.

Also:

H. 21. To provide further for the design of tags of vehicles of disabled veterans.

Also:

H. 42. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Thorsby in Chilton County.

Also:

H. 45. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to , approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

Also:

H. 50. Relating to Tuscaloosa County; providing an additional expense allowance for the sheriff and an expiration date therefor; and providing further for the sheriff's compensation in the next term of office for sheriff.

Also:

H. 91. Relating to the Cities of Lanett and Valley in Chambers County; authorizing said cities to contract for municipal services.

Also:

H. 92. Relating to Randolph County; to further regulate probate court fees.

Also:

H. 93. To authorize the Randolph County Commission to provide protection against fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. J. R. 46. COMMENDING VIRGIL J. UPTAIN ON HIS SERVICE AS CLERK OF THE DISTRICT COURT OF MADISON COUNTY.

Also:

H. J. R. 47. HONORING THE 276th ENGINEER COMBAT BATTALION FOR MERITORIOUS SERVICE TO OUR NATION.

Also:

H. J. R. 49. NAMING THE I-10 BRIDGE OVER MOBILE BAY THE "JUBILEE PARKWAY."

Also:

H. J. R. 52. COMMENDING COACH JOSEPH HENDERSON OF ALABAMA A&M UNIVERSITY.

Also:

H. J. R. 55. COMMENDING MR. BILL CASSITY, FORMER ADMINISTRATOR OF THE ALABAMA LIQUEFIED PETROLEUM GAS BOARD.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 10. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses.

Also:

H. 38. Relating to the legislative process in enacting certain appropriation acts; (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the state, for the payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this act prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of this act prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become

again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in this act shall be construed as requiring the legislature to make any appropriation not otherwise required by the Constitution to be made, and (f) setting a termination date.

McDOWELL LEE,
Secretary.

S. 32 RESUMED

On motion of Rep. Manley, further consideration of the bill, S. 32 as amended, was temporarily postponed.

REPORT OF CONFERENCE COMMITTEE

HOUSE BILL 1

We, the Committee on Conference appointed to reconcile the differences of the two houses concerning House Bill no. 1 have met in conference and have agreed to accept the attached substitute.

RICHARD S. MANELY,
JACK BIDDLE, III,
SHELBY D. WARD,
House Conferees.

RYAN deGRAFFENRIED, JR.,
MAC PARSONS,
LISTER H. PROCTOR,
Senate Conferees.

August 13, 1981.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1

A BILL TO BE ENTITLED AN ACT

To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 17-20-1, Code of Alabama 1975, is hereby amended to read as follows:

"§ 17-20-1.

"The state is hereby divided into seven congressional districts as follows:

"(1) The first district will be composed of the counties of Mobile, Washington, Clark, Monroe, Escambia, Baldwin and Wilcox.

"(2) The second district shall be composed of the counties of Montgomery, Bullock, Barbour, Pike, Crenshaw, Butler, Covington, Coffee, Dale, Henry, Houston, Geneva and Conecuh.

"(3) The third district shall be composed of the counties of Calhoun, Talladega, Clay, Randolph, Chambers, Tallapoosa, Coosa, Cleburne, Elmore, Macon, Lee, Russell and Autauga and Lowndes.

"(4) The fourth district shall be composed of the counties of Franklin, Marion, Lamar, Pickens, Fayette, Walker, Winston, Cullman, Blount, St. Clair, Etowah, Marshall, DeKalb, Cherokee, and Jefferson County precinct 12 as constituted November 1, 1970 and that part of St. Clair County included in the Ashville division (tract 0404), the Ragland division (tract 0403) and the Springville division (tract 0405).

"(5) The fifth district shall be composed of the counties of Lauderdale, Colbert, Lawrence, Limestone, Morgan, Madison and Jackson.

"(6) The sixth district shall be composed of all that part of Jefferson County not included in census tracts, 35, 100.01, 100.02, 101, 102, 103.01, 103.02, 104.01, 104.02, 122, 123.01, 123.02, 125, 138.01, 138.02, 139.01, 139.02, 140, 141.02, 141.03, 141.04, 141.05, 142.02, 142.03, 142.04, 143.01, 143.02, 144.02 and 144.03 precincts 1, 2, 4 and 12 as constituted November 1, 1970.

"(7) The seventh district shall be composed of the counties of Choctaw, Marengo, Dallas, Perry, Hale, Sumter, Greene, Tuscaloosa, Bibb, Chilton, and Shelby and Lowndes, that territory in Jefferson County in precincts 1, 2 and 4 as such precincts were constituted on November 1, 1970; and that part of Jefferson County included in census tracts 35, 100.01, 100.02, 101, 102, 103.01, 103.02, 104.01, 104.02, 122, 123.01, 123.02, 125, 138.01, 138.02, 139.01, 139.02, 140, 141.02, 141.03, 141.04, 141.05, 142.02, 142.03, 142.04, 143.01, 143.02, 144.02 and 144.03, and the St. Clair County Moody division (tract 0401) and Pell City division (tract 0402)."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

COMMITTEE ON CONFERENCE REPORT ADOPTED

On motion of Rep. Manley, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 91; Nays 8.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

Nays:

Reps. Escott, Harrison, Holmes, Horn, Jackson, Langford, Tucker and Wyatt.

—8

And the bill:

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 93; Nays 9.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—93

Nays:

Reps. Buskey, Escott, Harrison, Holmes, Horn, Jackson, Langford, Tucker and Wyatt.

—9

S. 32 AGAIN TAKEN UP

Rep. Gafford offered the following substitute to the bill, S. 32 as amended:

A BILL TO BE ENTITLED AN ACT

Proposing an amendment to the Constitution of Alabama providing for an annual special session of the legislature to be known as the "budget session" which shall precede each annual regular session at which no legislative bill shall be introduced except bills which make appropriations for the educational and general operations of government for the following fiscal year; providing for the duration of such budget sessions; providing for the commencement dates of annual budget sessions and for annual regular sessions; authorizing the legislature to alter the commencement dates for budget and regular sessions; providing the legislature shall shorten the regular session by the same number of legislative and calendar days used in the special session; and providing that if all such appropriation bills are not

passed at the budget session, then at the following regular session no other bill shall receive its third reading in the originating house until all such appropriations have first been passed.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as provided by law:

PROPOSED AMENDMENT

Unless the legislature otherwise subsequently prescribes by statute for the date of commencement, the legislature shall convene on the second Tuesday of January of each year into a special session to be known as the "budget session," which shall be limited to 15 legislative days and 35 calendar days for the purpose of making appropriations for the educational and general operations of government for the following fiscal year. No other bill shall be introduced in such sessions.

During said special session the legislature may also make appropriations for charitable or educational institutions not under the absolute control of the state as provided for in Section 73 of the Constitution of Alabama of 1901.

Provided, that in 1983 and each fourth year thereafter, the legislature shall convene in the special session provided for above on the second Tuesday of February.

Unless otherwise subsequently provided by the legislature by statute for the commencement date of each regular session of the legislature, the legislature shall convene in regular session each year on the second Tuesday immediately following the adjournment of the annual special budget session. The legislature shall shorten the regular session each year by the same number of legislative and calendar days it used in meeting in the special session provided for by this amendment. The annual special budget session and the regular session together shall not exceed a total of 30 legislative days and 105 total calendar days.

If the legislature fails to make all such educational and general governmental operations appropriations in the annual special budget session, then at the following annual regular session, no bill shall receive its third reading in either house of origin until all such appropriation bills have first been passed.

The provisions of this amendment shall apply to the 1982 regular session, but shall not apply to each following regular session unless so provided by act of the legislature.

Section 2. An election upon the proposed amendment shall be held on December 8, 1981. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Section 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

SUBSTITUTE Tabled

On motion of Rep. Clark (G), the substitute offered by Rep. Gafford to the bill, S. 32 as amended, was tabled.

Yeas 56; Nays 20.

Yeas:

Reps. Adams (C), Adams (H), Bedsole, Buskey, Cabaniss, Cates, Cheatwood, Cooley, Cosby, Daniels, Dixon, Edwards, Escott, Goodwin, Grimsley, Grouby, Hall, Harvey, Higginbotham, Holley, Johnson (Roy), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Naramore, Nevett, Owens, Parker, Patton, Penry, Ray, Reed, Riddick, Sandusky, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Ward, Warren, Whatley, Williams, Wyatt and Zoghby.

—56

Nays:

Reps. Albright, Biddle, Bowling, Carothers, Carter, Coburn, Gafford, Gilmer, Gregg, Hammett, Holmes, Horn, Johnson (R. G.), Langford, Moore, Payne, Rains, Smith (M), Turnham and Waggoner.

—20

MOTION TO ADJOURN LOST

The motion offered by Rep. Rains that the House adjourn was lost.

Yeas 11; Nays 64.

Yeas:

Reps Biddle, Goodwin, Higginbotham, Howard, Laird, Langford, Moore, Rains, Smith (M), Trammell and Turnham.

—11

Nays:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Boles, Brakefield, Carothers, Carter, Cates, Cobb, Cosby, Daniels, Dial, Dixon, Edwards, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (T), Harrison, Harvey, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Lewis, McKee, McMillan, Minus, Mitchell, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Sandusky, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Venable, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—64

S. 32 RESUMED

And the bill, S. 32 as amended, was read a third time at length and passed.

Yeas 86; Nays 11.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell,

Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Higginbotham, Hines, Holley, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Penry, Ray, Reed, Riddick, Sandusky, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—86

Nays:

Reps. Bedsole, Cooley, Gafford, Gregg, Harrison, Horn, Pegues, Rains, Shavers, Smith (M) and Turnham.

—11

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 10. To amend Section 41-9-252 of the Code of Alabama 1975 relating to historical commissions and the composition of certain historical advisory committee so as to change an incorrect reference to a congressional district and to prescribe the manner of maintaining financial records and making reimbursements for expenses.

Also:

H. 38. Relating to the legislative process in enacting certain appropriation acts; (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1982, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the state, for the payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this act prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of this act prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that

nothing contained in this act shall be construed as requiring the legislature to make any appropriation not otherwise required by the Constitution to be made, and (f) setting a termination date.

Also:

H. J. R. 58. HONORING THE LATE MORSE HAYNES, PROMINENT ALABAMA EDUCATOR.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

On motion of Rep. McMillan, the bill, S. 16, was temporarily postponed.

And the bill:

S. 70. To amend Section 2, Subsection D, 31, of Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of Government for the fiscal year ending September 30, 1982, so as to change the appropriation for the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama to the Center for Basic Science for Cystic Fibrosis at the University of Alabama in Birmingham.

Was read a third time as length and passed.

Yeas 65; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Albright, Bedsole, Blake, Brakefield, Cabaniss, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, McKee, Minus, Mitchell, Naramore, Nevett, Olive, Owens, Patton, Penry, Rains, Ray, Riddick, Sasser, Seibels, Smith (C), Starkey, Stout, Trammell, Turner, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—65

Nay: Rep. Hall.

—1

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Payne:

H. R. 63. CONGRATULATING THE TITLE BOOK NUGGETS OF THE BIRMINGHAM METRO LADIES SOFTBALL TEAM.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 53. TO CREATE A CONTINUING INTERIM COMMITTEE TO OVERSEE AND MONITOR THE TELEPHONE SYSTEM.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Cates, the rules were suspended in order to take up out of order the bill, S. 38.

Yeas 52; Nays 0.

Yeas:

Reps. Amari, Barton, Bowling, Carothers, Clark (G), Clark (W), Cobb, Cooley, Daniels, Dixon, Drinkard, Escott, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harvey, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, McKee, Minus, Mitchell, Moore, Naramore, Olive, Owens, Penry, Rains, Ray, Riddick, Seibels, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Turner, Venable, Waggoner, Warren, Willis, Wyatt and Zoghby.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

the Clerk reported that there was a quorum present.

And the bill:

S. 38. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird,

Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Patton, Pegues, Penry, Rains, Ray, Riddick, Sandusky, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—85

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bills:

S. 50. Relating to the Cities of Lanett and Valley in Chambers County; to authorize a contractual agreement between said cities relating to the distribution of certain taxes on sales by public utilities within the overlapping police jurisdiction of said cities; and to ratify any such prior agreement.

Also:

S. 69. Relating to Wilcox County; to provide an additional clerk hire allowance for the tax collector, tax assessor and probate judge; and to provide for retroactive effect.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

And said Bill, H. B. 1, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

H. 61. (With Amendment): To provide that the local school boards shall be allowed to establish a damage deposit for textbooks distributed pursuant to Title 16, Chapter 36 of the Code of Alabama 1975; to provide for the amount of such damage deposit; to require receipt for such damage deposit; and to provide for the liability for such deposit.

Which was temporarily postponed on the fifth legislative day, was taken up.

SUBSTITUTE OFFERED

Reps. Bedsole and Holley offered the following substitute to the bill, H. 61 with pending amendments:

A BILL
TO BE ENTITLED
AN ACT

To allow local school boards at their discretion to establish a damage deposit for textbooks distributed to public school pupils pursuant to Title 16, Chapter 36 of the Code of Alabama 1975; provide for waiver of the deposit under certain circumstances; and provides for the collection and liability thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Definition of terms. As used in this act, the following terms shall have the meanings ascribed to them in this section unless clearly indicated otherwise:

(a) "Textbook" shall mean hard-cover book as approved for use by the state textbook committee.

(b) "Damage" shall mean defaced, torn, mutilated or any other destruction that renders the book unuseable.

Section 2. Any local school board may, at its discretion, require a damage deposit for each textbook distributed pursuant to Title 16, Chapter 36 of the Code of Alabama 1975. Such damage deposit may be collected from the pupil at the time the textbook is issued. Such damage deposit may be retained until the student is no longer in attendance at the particular school. Any school board may issue rules and regulations as are necessary to carry out the intent of this act. A receipt for said damage deposit shall be given at the time of the collection of such damage deposit.

Section 3. The deposit shall be forfeited if the textbook or textbooks are determined by the school board or its designated representative to be damaged at the time of the return of the textbooks at the end of the school year, in addition to any other liability prescribed by Section 16-36-32 of the Code of Alabama 1975. In the event the determination is made by the school board or its designated representative that the textbook or textbooks are not damaged and can be used then the deposit shall be refunded.

Section 4. Any local school board has the prerogative to waive the damage deposit for any economically deprived student, including, but not limited to, those students who qualify under the U.S.D.A. free and reduced lunch programs.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE LOST

And the substitute was lost.

Yeas 15; Nays 46.

Yeas:

Reps. Cabaniss, Cates, Daniels, Dixon, Hammett, Holley, Horn, McMillan, Minus, Olive, Penry, Ray, Starkey, Trammell and Zoghby.

Nays:

Mr. Speaker, Adams (H), Albright, Bowling, Brakefield, Carter, Cobb, Coburn, Cooley, Cosby, Crow, Drinkard, Escott, Ford, Gilmer, Goodwin, Gregg, Grouby, Hall, Harper (O), Harper (T), Higginbotham, Hines, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, McKee, Mitchell, Moore, Naramore, Nevett, Payne, Rains, Riddick, Shoemaker, Smith (C), Smith (M), Turner, Turnham, Venable, Warren, Willis and Wyatt.

—46

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Turner to indefinitely postpone the bill, H. 61 with pending amendments was lost.

Yeas 37; Nays 41.

Yeas:

Reps. Adams (C), Blake, Brakefield, Buskey, Carter, Clark (W), Cobb, Coburn, Cooley, Crow, Drinkard, Edwards, Escott, Ford, Goodwin, Hall, Harper (O), Harvey, Higginbotham, Holmes, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Mitchell, Naramore, Nevett, Rains, Riddick, Smith (C), Smith (M), Stewart, Stout, Turner, Warren and Wyatt.

—37

Nays:

Mr. Speaker, Adams (H), Albright, Amari, Bedsole, Biddle, Bowling, Cabaniss, Cosby, Daniels, Dial, Dixon, Gilmer, Gregg, Grouby, Hammett, Harper (T), Hines, Holley, Horn, McMillan, Minus, Moore, Olive, Owens, Parker, Patton, Payne, Penry, Ray, Sandusky, Seibels, Shoemaker, Starkey, Turnham, Venable, Waggoner, Ward, Whatley, Willis and Zoghby.

—41

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Education, said committee amendment being as follows:

Amend H. B. 61 on page 1, Section 3, by striking in its entirety lines 38, 39 and 40 and inserting a new Section 3 as follows: The deposit shall be forfeited if the textbook or textbooks are determined by the school board or its designated representative to be damaged at the time

And the amendment was adopted.

Yeas 39; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Biddle, Bowling, Cabaniss, Campbell, Cosby, Dixon, Edwards, Gilmer, Gregg, Grouby, Hall, Harper (T), Harvey, Hines, Holley, Johnson (R. G.), McMillan, Minus, Moore, Nevett, Olive, Owens, Parker, Patton, Payne, Riddick, Sandusky, Shoemaker, Starkey, Turnham, Waggoner, Ward and Willis.

—39

Nays:

Reps. Cobb, Higginbotham, Holmes, Langford, McKee, Mitchell, Rains, Seibels, Stout, Turner, Warren and Wyatt.

—12

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Education, said committee amendment being as follows:

Amend House Bill 61, Section 1, Page 1, on line 31 by striking the word willful

And the amendment was adopted.

Yeas 39; Nays 14.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Biddle, Bowling, Cabaniss, Campbell, Cosby, Dixon, Edwards, Gilmer, Gregg, Grouby, Hall, Harper (T), Harvey, Hines, Holley, Laird, McMillan, Minus, Moore, Nevett, Olive, Owens, Parker, Patton, Payne, Riddick, Sandusky, Smith (C), Starkey, Turnham, Waggoner, Ward, Willis and Zoghby.

—39

Nays:

Reps. Cobb, Crow, Drinkard, Ford, Higginbotham, Holmes, Langford, Mitchell, Rains, Seibels, Trammell, Turner, Warren and Wyatt.

—14

The question was then on the adoption of the amendment No. 3 reported by the Standing Committee on Education, said committee amendment being as follows:

Amend H. B. 61, Section 3, page 2, line 7, by adding after the figure "1975.", the following:

In the event the determination is made by the school board or its designated representative that the textbook or textbooks are not damaged and can be used then the \$2.00 per book deposit shall be refunded.

And the amendment was adopted.

Yeas 41; Nays 13.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Biddle, Bowling, Cabaniss, Campbell, Cosby, Dixon, Edwards, Gilmer, Gregg, Grouby, Hall, Hammett, Harper (T), Harvey, Hines, Holley, Johnson (R. G.),

Laird, McMillan, Minus, Moore, Nevett, Olive, Owens, Patton, Payne, Riddick, Sandusky, Smith (C), Starkey, Turnham, Waggoner, Ward, Willis and Zoghby.

—41

Nays:

Reps. Cobb, Crow, Drinkard, Ford, Higginbotham, Holmes, Langford, Mitchell, Rains, Seibels, Turner, Warren and Wyatt.

—13

H. 61 INDEFINITELY POSTPONED

On motion of Rep. Harrison, the bill, H. 61 as amended, was indefinitely postponed.

Yeas 44; Nays 37.

Yeas:

Reps. Adams (C), Bowling, Brakefield, Buskey, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Crow, Drinkard, Edwards, Escott, Ford, Goodwin, Hall, Harper (O), Harrison, Harvey, Higginbotham, Holmes, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, McKee, Mitchell, Naramore, Nevett, Rains, Riddick, Seibels, Shavers, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Stout, Turner, Warren and Wyatt.

—44

Nays:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Cabaniss, Carter, Cates, Clark (G), Cosby, Dixon, Gilmer, Grouby, Hammett, Harper (T), Hines, Holley, McMillan, Manley, Minus, Olive, Owens, Parker, Patton, Payne, Penry, Sandusky, Turnham, Venable, Waggoner, Ward, Whatley, Willis and Zoghby.

—37

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 19. CREATING AN INTERIM LEGISLATIVE COMMITTEE TO STUDY FEDERAL BLOCK GRANTS.

Also:

S. J. R. 37. REQUESTING THE DEPARTMENT OF REVENUE TO STUDY TAX INCENTIVES TO ENCOURAGE INDIVIDUALS TO CARE FOR DEPENDENT ADULT FAMILY MEMBERS.

Also:

S. 14. To appropriate \$250,000.00 from the state general fund to the state oil and gas board for the fiscal year ending September 30, 1982 for the general operations of the board.

Also:

S. 36. Relating to Marion County; amending Act No. 79-642, H. 940, 1979 Regular Session (Acts 1979, p. 1124), which provides for clerical assistance for the tax assessor and tax collector, so as to increase the number and compensation of said clerical assistance.

Also:

S. 47. Relating to Monroe County; amending Act No. 686, H. 1677, 1975 Regular Session (Acts 1975, p. 1437), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws, so as to increase said allowance.

Also:

S. 48. Relating to Monroe County; amending Act No. 682, H. 1673, 1975 Regular Session (Acts 1975, p. 1435), as amended, entitled, "An Act Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session of the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws," so as to increase said allowance.

Also:

S. 49. Relating to Escambia County; amending Sections 1 and 2 of Act No. 205, S. 375, 1969 Regular Session (Acts 1969, p. 524), as amended, relating to pistol permit fees in certain counties classified on a population basis, so as to increase the amount of such fees and provide further for the use thereof.

Also:

S. 50. Relating to the Cities of Lanett and Valley in Chambers County; to authorize a contractual agreement between said cities relating to the distribution of certain taxes on sales by public utilities within the overlapping police jurisdiction of said cities; and to ratify any such prior agreement.

Also:

S. 56. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

Also:

S. 58. To provide for the distribution of the share of in-lieu-of-taxes payments of Tennessee Valley Authority for Marshall County and the appropriate municipalities therein; to create a Marshall County Jail Advisory Authority and a steering committee therefrom to administer a certain portion of such distribution for the construction of a county jail facility; to prescribe membership, terms, meetings, powers and duties thereunder; to authorize such authority and committee to take reasonable and necessary action to implement the provisions of the Act, including but not limited to,

approval of building plans, purchase of land, supplies and equipment, the issuance of bonds or other evidence of indebtedness to finance said jail facility; to exempt any such bonds from all taxation in the state; to require quarterly reports from the steering committee to the authority; and to specifically repeal Act No. 80-318, S. 541 of the 1980 Regular Session (Acts 1980, p. 438) which provides for the share of in-lieu taxes payments of T.V.A. for Marshall County and the appropriate municipalities therein.

Also:

S. 69. Relating to Wilcox County; to provide an additional clerk hire allowance for the tax collector, tax assessor and probate judge; and to provide for retroactive effect.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills, and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolution, to-wit:

H. 1. To amend Section 17-20-1, Code of Alabama 1975, relating to the division of the state into congressional districts, so as to redistrict the congressional districts based upon the 1980 census.

Also:

H. J. R. 53. TO CREATE A CONTINUING INTERIM COMMITTEE TO OVERSEE AND MONITOR THE TELEPHONE SYSTEM.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Robertson, Kirkland, Harrison, and Parsons:

S. J. R. 41. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE FEDERAL CONSTITUTION REQUIRING UNITED STATES SUPREME COURT JUSTICES AND ALL FEDERAL JUDGES TO BE ELECTED.

WHEREAS, there is a great need for a government of laws and not of men in this country; and

WHEREAS, many federal justices and judges have strayed in their rulings from strictly interpreting the Constitution of the United States as it was intended, passed and ratified; and

WHEREAS, such straying from the intent of the Constitution is in effect judicial legislation by means of judicial extrapolation; and

WHEREAS, members of the federal judiciary have been able to follow this course of action because they are not answerable to the people because they are appointed for lifetime tenure; and

WHEREAS, this country was founded in order to escape the awesome power of lifetime appointments from nonelected rulers and royalty; and

WHEREAS, the federal judiciary is the last remaining vestige of such awesome, lifetime political patronage in this country; and

WHEREAS, the public has always been under the impression that federal judges aided and abetted criminals and criminal activity in America by giving the criminals more rights than the victims; now therefore,

BE IT RESOVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby petitions the Congress of the United States to convene a convention, pursuant to Article V of the Constitution of the United States, for the specific and exclusive purpose of proposing an amendment which would prohibit lifetime appointments of federal supreme court justices and all other federal judges and require that they be elected and re-elected every six years by the people.

BE IT RESOLVED FURTHER, That the legislature of each of our sister states is urged to give the most serious consideration to the problems arising from lifetime judicial appointments, and to petition the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment which would prohibit lifetime appointments of federal supreme court justices and all other federal judges and require that they be elected and re-elected every six years by the people.

BE IT RESOLVED FURTHER, That the Secretary of the Senate transmit duly authenticated copies of this resolution to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of Congress, both Senate and House, and to the executive authority of each of our sister states for transmittal to its legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 41, set out in the above and foregoing Message from the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 54. PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. GEORGE WASHINGTON CARVER IN THE STATE CAPITOL OR ON THE CAPITOL GROUNDS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Langford, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 54, said Senate amendment being as follows:

PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. GEORGE WASHINGTON CARVER ON THE CAPITOL GROUNDS.

WHEREAS, Doctor George Washington Carver was a distinguished scientist, agricultural chemist and experimenter who brought great fame and worldwide recognition to the State of Alabama; and

WHEREAS, Dr. Carver came to Alabama and to Tuskegee Institute in 1896, remaining and serving his beloved university until his death in 1943; and

WHEREAS, in his research and experimental efforts for the university, Dr. Carver discovered over 300 byproducts of the peanut and more than 150 products of the sweet potato which were only two areas of his agricultural research serving to revolutionize the economy of the South and, indeed, the nation as well; and

WHEREAS, in gratitude for his brilliant contributions to our nation and the world, the Congress of the United States authorized the minting of a half-dollar coin in Dr. Carver's honor; and

WHEREAS, it is fitting that the State of Alabama also pay tribute to an outstanding citizen of our state and that such memorial be appropriately placed so that students, out-of-state visitors and all Alabama citizens may be reminded of the extraordinary place in history held by Dr. George Washington Carver; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Historical Commission is hereby directed to provide for the purchase or moulding of, and the placement on the Capitol grounds, a bust or statue of George Washington Carver with an appropriate inscription thereon.

BE IT FURTHER RESOVED, That expenses incurred for purchasing and placement of said bust or statue be paid out of funds from private donations, or from any other funds made available for said purpose.

And the resolution, H. J. R. 54 as amended, was adopted.

CO-SPONSOR ADDED

Rep. Langford was added as co-sponsor to the resolution, H. J. R. 54.

BILLS ON THIRD READING RESUMED

And the bill:

S. 16. To amend Section 40-14-70, Code of Alabama 1975, relating to assessment and collection of corporate shares of stock, so as to alter the method of assessment.

Was read a third time at length and passed.

Yeas 46; Nays 18.

Yeas:

Mr. Speaker, Amari, Barton, Bedsole, Bennett, Cabaniss, Campbell, Clark (G), Clark (W), Cobb, Cosby, Dixon, Drinkard, Edwards, Grouby, Hammett, Harper (T), Hines, Johnson (Roy), Kelley, Laird, McKee, McMillan, Manley, Minus, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Sandusky, Seibels, Shoemaker, Smith (C), Stewart, Trammell, Turner, Venable, Waggoner, Ward, Warren, Willis and Zoghby.

—46

Nays:

Reps. Albright, Bowling, Brakefield, Carter, Cooley, Escott, Ford, Hall, Harrison, Holley, Holmes, Howard, Jackson, Langford, Naramore, Rains, Stout and Wyatt.

—18

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 32. To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1983, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution

declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith (J), the rules were suspended in order to take up out of order the bill, S. 28.

Yeas 53; Nays 8.

Yeas:

Reps. Adams (C), Adams (H), Albright, Bedsole, Bennett, Blake, Bowling, Buskey, Cabaniss, Campbell, Carter, Clark (G), Cosby, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Gregg, Hall, Hammett, Harper (O), Harper (T), Harvey, Hines, Horn, Howard, Laird, McKee, McMillan, Manley, Mitchell, Naramore, Owens, Parker, Patton, Payne, Ray, Seibels, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—53

Nays:

Reps. Amari, Coburn, Cooley, Holley, Jackson, Johnson (Roy), Smith (M) and Stout.

—8

And the bill:

S. 28. To limit the liability of certain persons and organizations that donate and distribute food free of charge.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Reps. Adams (C), Albright, Amari, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Clark (G), Clark (W), Cosby, Crow, Dixon, Drinkard, Edwards, Escott, Gilmer, Gregg, Hammett, Harper (O), Harper (T), Harrison, Harvey, Hines, Holley, Holmes, Horn, Howard, Johnson (Roy), Kelley, Kennedy, Laird, Langford, McKee, McMillan, Manley, Mitchell, Naramore, Owens, Parker, Patton, Payne, Ray, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—62

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Lewis, the rules were suspended in order to take up out of order the bill, H. 98.

Yeas 12; Nays 3.

Yeas:

Reps. Amari, Biddle, Cabaniss, Cheatwood, Gafford, Harper (T), Howard, Lewis, Moore, Payne, Trammell and Waggoner.

—12

Nays: Reps. Harrison, Horn and Jackson.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 98. Relating to Jefferson County; fixing the salary of the deputy probate judge.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 11; Nays 2.

Yeas:

Reps. Amari, Biddle, Cabaniss, Cheatwood, Gafford, Howard, Lewis, Moore, Payne, Trammell and Waggoner.

—11

Nays: Reps. Escott and Horn.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Bedsole to suspend the rules in order to take up out of order the bill, H. 59, was lost, lacking a four-fifths vote.

Yeas 7; Nays 3.

Yeas:

Reps. Amari, Bedsole, Harper (T), McMillan, Sandusky, Stewart and Zoghby.

—7

Nays: Reps. Buskey, Clark (W) and Turner.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Rep. Waggoner:

H. J. R. 64. MOURNING THE DEATH OF MR. LEROY G. MONSKY, SR.

WHEREAS, it is with deep sorrow and regret that the Legislature of Alabama notes the death of Leroy G. Monsky, Sr., on August 12, 1981, at the age of 65; and

WHEREAS, a Birmingham native, Leroy G. Monsky, Sr., was a former All American football player at the University of Alabama and was selected for membership in the Alabama Sports Hall of Fame some two years ago; and

WHEREAS, Mr. Monsky, who maintained homes in Rye, New York, and in his native city as well, was a former vice president of Engel, House, Caroon and Black Insurance Company of Birmingham, and was a member of the Birmingham Quarterback Club and of Temple Emanu-El; and

WHEREAS, he further was a member of a number of other civic and charitable organizations and was responsibly involved in numerous affairs of his communities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Leroy G. Monsky, Sr., and extend our most heartfelt sympathy to all members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his wife, Mrs. Maureen H. Monsky, that she and their son, Leroy Monsky, Jr., and daughters, Mrs. Thomas Garson and Mrs. Richard Bodzimer, and other family members may know of our deep care and concern for them in their time of such great loss.

On motion of Rep. Waggoner, the rules were suspended and the resolution, H. J. R. 64, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Barton, the rules were suspended in order to take up out of order the bill, H. 81.

And the bill:

H. 81. (With Substitute): To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, simi-trailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm, or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the

state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61 (c), Code of Alabama, 1975, as amended on the storage, use, or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981 for storage, use or other consumption in this state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm, or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61 (c), Code of Alabama, 1975, as amended on the storage, use, or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981 for storage, use or other consumption in this state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 81-665, H. 327, Regular Session 1981, is hereby amended to read as follows:

"Section 8. For making the collection of taxes levied under authority of this act, the tax collector shall be entitled to a fee in the amount of \$2.00 for each vehicle and trailer taxed herein. Such fee shall be collected from the person, firm, or corporation paying the tax levied herein and shall be in addition to such tax. an amount equal to 5% of the first \$100.00 of revenue collected and 2% of all revenue collected over \$100.00 under this act each month, such Such fee shall be for the use of the tax collector. The fee allowed herein shall be deducted from the tax collections each month and the remainder of such collections shall be remitted to the Department of Revenue; provided, however, such fee shall be disallowed unless such collections are remitted to the Department of Revenue within the time allowed by law. In all counties where the tax collector is paid on a salary instead of a fee basis all fees allowed under the terms of this section to be paid to the tax collector shall be paid, by said tax collector, into the county treasury, or to the official performing the duties of county treasurer.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This bill shall become effective upon the first day of the second month following its passage and approval by the Governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 53; Nays 16.

Yeas:

Reps. Adams (C), Amari, Barton, Bedsole, Bennett, Bowling, Cabaniss, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Dial, Goodwin, Gregg, Grimsley, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Howard, Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Nevett, Olive Owens Parker, Patton Payne, Penry, Ray, Riddick, Roberts, Sandusky, Shoemaker, Smith (M), Starkey, Stewart, Stout, Turner, Ward, Willis and Zoghby.

—53

Nays:

Reps. Albright, Buskey, Carter, Clark (W), Cosby, Edwards, Ford, Grouby, Hall, Holley, Johnson (R. G.), Langford, Rains, Smith (C), Warren and Wyatt.

—16

And the bill, H. 81 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 19.

Yeas:

Reps. Adams (C), Amari, Barton, Bedsole, Bennett, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Dial, Goodwin, Gregg, Grimsley, Hammett, Harper (O), Harvey, Higginbotham, Howard, Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Nevett, Olive, Owens, Parker, Patton, Ray, Riddick, Roberts, Shoemaker, Smith (M), Starkey, Stewart, Stout, Turner, Venable, Ward, Willis and Zoghby.

—53

Nays:

Reps. Albright, Buskey, Carter, Clark (W), Cosby, Edwards, Grouby, Hall, Harper (T), Holley, Johnson (R. G.), Kennedy, Langford, Moore, Pegues, Rains, Smith (C), Warren and Wyatt.

—19

RESOLUTION

The following resolution was introduced:

By Rep. Biddle:

H. J. R. 65. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, Thursday, August 13, 1981, they adjourn to meet again on Tuesday, August 18, 1981.

On motion of Rep. Biddle, the rules were suspended and the resolution, H. J. R. 65, was adopted.

MOTION TO RECESS

Rep. Gafford offered the motion that the House recess until 7:00 o'clock p. m.

SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Albright that the House adjourn was lost.

Yeas 17; Nays 61.

Yeas:

Reps. Adams (C), Albright, Barton, Buskey, Campbell, Clark (G), Clark (W), Ford, Goodwin, Gregg, Hall, Higginbotham, Horn, Laird, Nevett, Rains and Starkey.

—17

Nays:

Mr. Speaker, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Grimsley, Grouby, Hammett, Harper (O), Harvey, Jackson, Johnson (R. G.), Kelley, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Patton, Payne, Penry, Ray, Riddick, Sandusky, Seibels, Shoemaker, Smith (C), Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby

—61

RECESS

The question was then on the motion offered by Rep. Gafford that the House recess until 7:00 o'clock p. m., and the motion was adopted.

HOUSE RECONVENED

The hour of 7:00 o'clock p. m. having arrived, the House reconvened. The Speaker called the House to order

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 32. To propose an amendment to the Constitution of Alabama of 1901 (a) requiring the Governor to transmit to the Legislature, on or before the second legislative day of each regular session held after January 1, 1983, a proposed budget; (b) providing that, until such time as bills making appropriations for the then ensuing fiscal year (or for such other budget period as may at the time be in effect) for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (to the extent that any such item is not otherwise provided for) shall have been signed by the presiding officer of each house in the manner provided in the Constitution, no bill (other than a bill making any part of any of the said appropriations), shall be signed by either the presiding officer of the House or Senate and transmitted to the other house; (c) providing that the provisions of this Amendment prohibiting final passage of certain bills in either house may be made inapplicable by three-fifths vote of the house in which a bill is pending of a resolution declaring the said prohibition inapplicable to the bill specified in such resolution; (d) providing that upon the signing and presentation to the Governor in accordance with Section 66 and 125 of the Constitution of bills making the said appropriations, the provisions of the Amendment prohibiting the final passage of certain bills in either house shall cease to be effective and shall not be revived or become again effective for the then current regular session as a result of the subsequent legislative history of any bill so signed and presented or of a determination that such bill is wholly or in part invalid; and (e) providing that nothing contained in the Amendment shall be construed as requiring the Legislature to make any appropriation not otherwise required by the Constitution to be made.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 54. PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. GEORGE WASHINGTON CARVER ON THE CAPITOL GROUNDS.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 46. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Kelley, the House concurred in and adopted the Senate amendment to the bill, H. 46, said Senate amendment being as follows:

Amend House Bill 46, Section 6, Page 2 by deleting line 25 in its entirety and inserting the following:

"ning of the first day of the second month following its passage"

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bennett, Carothers, Carter, Cates, Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Hall, Hammett, Harvey, Hines, Howard, Johnson (R. G.), Kelley, Letson, Minus, Mitchell, Moore, Naramore, Olive, Patton, Pegues, Penry, Rains, Ray, Sasser, Shoemaker, Smith (C), Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—54

And the bill, H. 46, as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Boles, Brakefield, Campbell, Carothers, Carter, Cates, Cobb, Cooley, Cosby, Crow, Daniels, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Hall, Hammett, Harvey, Higgingotham, Hines, Holmes, Howard, Johnson (R. G.), Kelley, Langford, Letson, Manley, Minus, Mitchell, Moore, Naramore, Olive, Patton, Pegues, Rains, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Bailey, Higginbotham, and Weeks:

S. J. R. 44. MOURNING THE DEATH OF FORMER EUFAULA MAYOR EUGENE C. PARKER AND HIS WIFE, MRS. SOLITA PARKER.

Also:

By Mr. White:

S. J. R. 45. COMMENDING MR. CRAIG FRANCIS SMALL FOR SERVICE TO THE STATE OF ALABAMA IN HIS CAPACITY AS ADMINISTRATIVE ASSISTANT TO GOVERNOR FOB JAMES.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Grimsley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 44, the title of which is set out in the above and foregoing Message from the Senate.

The resolution, S. J. R. 45, the title of which is set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Gulledge:

S. J. R. 48. EXPRESSING APPRECIATION TO MR. ROBERT J. POTTER FOR HIS CONTRIBUTION TO THE RE-OPENING OF THE GULF STATE PARK COMPLEX.

Also:

By Mr. Gulledge:

S. J. R. 49. COMMENDING MR. AND MRS. JOHN RAY NELSON AND THE STAFF AND EMPLOYEES OF THE BON SECOUR FISHERIES.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Penry, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 48 and S. J. R. 49, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Callahan:

S. 17. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer under the direction of a select committee.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 17, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Banking.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. McDonald, Mitchem and Gulledge:

S. 42. To create the Wildlife Heritage Committee and prescribe its powers, terms of office, and duties; to provide for meetings, per diem and mileage allowances; to provide for a Wildlife fund and the expenditures therefrom.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 42. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Robertson, Harrison, Barron and Holmes:

S. 40. To provide longevity pay for certain employees in the classified service of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 40. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Gullledge:

S. 89. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 89. Judiciary.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 77

We the Committee of Conference appointed to reconcile the disagree-

ment between the two houses concerning House Bill 77, have met, considered the bill, and have agreed to the attached:

WALTER OWENS,

LEIGH PEGUES,

JAMES G. SASSER,

Conferees on the part of the House.

J. RICHMOND PEARSON,

LISTER H. PROCTOR,

ALBERT McDONALD,

Conferees on the part of the Senate.

REPORT OF COMMITTEE ON CONFERENCE FOR HOUSE BILL 77

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 1982 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 6, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, "ASETF" shall mean the Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund, Alabama Special Educational Trust Fund Surplus Account, Special Mental Health Fund, and Public School Fund Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1982 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama, 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Trust Funds" and "Appropriation Total" are set forth for the purpose for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the Legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3:

A. STATE AGENCIES

1. Academy of Honor, Alabama:

(a) Historical Resources Management Program	903
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SOURCE OF FUNDS:

(a) ASETF	<u>903</u>	
Total Alabama Academy of Honor	<u>903</u>	<u>903</u>

2. Arts and Humanities, Council on the

(a) Fine Arts Program	996,250
(b) Alabama Symphony	200,000
(c) Alabama Shakespeare Festival	25,000
(d) Jefferson County Committee for Economic Opportunity, Inc.	25,000
(e) Alabama Outdoor Drama	10,000
(f) Brown Arts Council	7,500
(g) Heritage Band	10,000

SOURCE OF FUNDS:

(1) ASETF	523,750		
(2) Federal and Local Funds		<u>750,000</u>	
Total Council on the Arts and Humanities	<u>523,750</u>	<u>750,000</u>	<u>1,273,750</u>

3. Debt Service

(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research Institute pursuant to Constitutional Amendment No. CLVII	218,256
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(b) Interest on Endowments:

For interest on University of Montevallo (Alabama College)

Endowment, Estimated .. 45,000

For interest on Auburn University Endowment

20,280

For interest on University of Alabama Endowment

61,000

For interest on Grove Hill Endow-
ment 600

For interest on Public School Fund
Endowment:

Interest on 16th Section Lands Es-
timated 410,000

Interest on School Indemnity
Lands Estimated 90,000

Interest on Valueless 16th Section
Lands 5,825

Interest on Surplus
Revenue 26,764

Interest on James Wallace
Fund 275

Total 659,744

SOURCE OF FUNDS:

(1) ASETF	878,000	
Total Debt Service	878,000	878,000

4. Dental Scholarship Awards,
Board of:

(a) Support of Other Educational Activities Programs		228,000
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SOURCE OF FUNDS:

(1) ASETF	228,000	
Total Board of Dental Scholarship Awards	228,000	228,000

(To be expended under the provi-
sions of Act No. 662, 1977 Regu-
lar Session.)

5. Education, Department of

(a) Instructional Technical Assis- tance Program		7,543,324
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The proposed spending plan for the
above is as follows:

Career Education 98,000

Vocational Education ... 651,000

Special Education Admin-
istration 450,000

SOURCE OF FUNDS:

(1) ASETF	1,199,000		
(2) Federal and Local Funds		6,344,324	
Total Instructional Technical As- sistance Program	1,199,000	6,344,324	7,543,324

(The appropriation for Special Education Administration is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(b) Local Agency Support Program	10,559,824
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The proposed spending plan for the above is as follows:

Coordination of In-School Television	85,000
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Driver Education, School Bus Driver Training and Vehicle Safety Inspection	192,000
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Free Textbooks	7,705,000
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In addition to the above appropriation, \$1,500,000 is hereby appropriated for Free Textbooks to be conditioned on the availability of funds and the approval of the Governor.

Testing	500,000
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Plans and Surveys	66,000
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SOURCE OF FUNDS:

(1) ASETF	8,548,000
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(2) Federal and Local Funds	<u>2,011,824</u>
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Total Local Agency Support Program	<u>8,548,000</u>	<u>2,011,824</u>	<u>10,559,824</u>
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(c) Regulation Program	912,246
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Teacher Certification and Accreditation	211,000
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SOURCE OF FUNDS:

(1) ASETF	211,000
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(2) Federal and Local Funds	<u>701,246</u>
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Total Regulation Program	<u>211,000</u>	<u>701,246</u>	<u>912,246</u>
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(d) Administrative Services Program	10,476,575
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The proposed spending plan for the above is as follows:

Compact for Education ...	27,000
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Operations and Maintenance of Department	2,000,000
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Telephone Network Fund	1,116,000
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SOURCE OF FUNDS:

(1) ASETF	3,143,000		
(2) Federal and Local Funds		<u>7,333,575</u>	
Total Administrative Services Program	<u>3,143,000</u>	<u>7,333,575</u>	<u>10,476,575</u>

The above appropriation shall include a transfer to the State Personnel Department of \$63,494.

(e) Adult Education Program ...			3,613,923
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The proposed spending plan for the above is as follows:

Adult Basic Education ..	950,000		
Community Education ...	91,200		

SOURCE OF FUNDS:

(1) ASETF	1,041,200		
(2) Federal and Local Funds		<u>2,572,723</u>	
Total Adult Education Program .	<u>1,041,200</u>	<u>2,572,723</u>	<u>3,613,923</u>

(f) Support of State Universities Program			256,833
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SOURCE OF FUNDS:

(1) Federal and Local Funds		<u>256,833</u>	
Total Support of State Universities Program		<u>256,833</u>	<u>256,833</u>

(g) Projects-Vocation Rehabilitation/Crippled Children Services Program			734,443
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SOURCE OF FUNDS:

(1) Federal and Local Funds		<u>734,443</u>	
Total Projects-Voc. Rehab/Crippled Children Services Program		<u>734,443</u>	<u>734,443</u>

(h) Disability Determination for Social Security Program			9,650,611
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SOURCE OF FUNDS:

(1) Federal and Local Funds		<u>9,650,611</u>	
Total Disability Determination for Social Security Program		<u>9,650,611</u>	<u>9,650,611</u>

(i) Support of Other Educational Activities			9,300
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The proposed spending plan for the above is as follows:

Education of Dependents of Blind Parents	9,300		
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SOURCE OF FUNDS:

(1) ASETF	<u>9,300</u>	
Total Support of Other Educational Activities	<u>9,300</u>	<u>9,300</u>

For reimbursement of every State Institution of Higher Learning, College, University, or Vocational-Technical School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.

(j) Emergency Medical Services Education Program	1,500,000
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To be distributed by the Department of Education as follows:

- (1) West Alabama Emergency Medical Services, Inc. . 250,000
- (2) Birmingham Regional Emergency Medical System .250,000
- (3) North Alabama Emergency Medical Services, Inc. . 250,000
- (4) Southeast Alabama Emergency Medical Services System, Inc. 250,000
- (5) East Alabama Emergency Medical Services, Inc. . 250,000
- (6) Southwest Alabama Emergency Medical Services Council, Inc. 250,000

The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

(1) ASETF	<u>1,500,000</u>	
Total Emergency Medical Services Education Program	<u>1,500,000</u>	<u>1,500,000</u>

(k) Direct Client Services for the Handicapped	40,693,054
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To be distributed by the State Department of Education as follows:

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Crippled Children Services Program	4,300,000		
Hemophilia Program	279,000		
Homebound Program	2,100,000		
Rehabilitation Services Program	5,785,000		
Handicapped Recreation Program	186,000		
(To provide recreation and services at a year round accredited handicapped recreation facility.)			
SOURCE OF FUNDS:			
(1) ASETF	12,650,000		
(2) Federal and Local Funds		<u>28,043,054</u>	
Total Direct Client Services for the Handicapped	<u>12,650,000</u>	<u>28,043,054</u>	<u>40,693,054</u>
(1) Project to Develop a Financial Management Information System			39,000
SOURCE OF FUNDS:			
(1) ASETF	19,000		
(2) Federal and Local Funds		<u>20,000</u>	
Total Project to Develop a Financial Management Information System	<u>19,000</u>	<u>20,000</u>	<u>39,000</u>
TOTAL DEPARTMENT OF EDUCATION:			
SOURCE OF FUNDS:			
(1) ASETF	28,320,500		
(2) Federal and Local Funds		<u>57,668,633</u>	
Grand Total Department of Education	<u>28,320,500</u>	<u>57,668,633</u>	<u>85,989,133</u>
6. Employees Insurance, State ..			597,074
SOURCE OF FUNDS:			
(1) ASETF	<u>597,074</u>		
Total State Employees Insurance	<u>597,074</u>		<u>597,074</u>
7. Employees Retirement, State ..			1,629,435
SOURCE OF FUNDS:			
(1) ASETF	321,668		
(2) ASETF-Auburn Cooperative Extension Service	<u>1,307,767</u>		
Total State Employees Retirement	<u>1,629,435</u>		<u>1,629,435</u>

8. Examiners of Public Accounts

(a) Legislative Support - Audit Services Program	1,007,966
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For purpose of auditing all phases of public education.

SOURCE OF FUNDS:

(1) ASETF	<u>1,007,966</u>
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Total Examiners of Public Accounts	<u>1,007,966</u>	<u>1,007,966</u>
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9. Fine Arts, Alabama School of

(a) Fine Arts Program	943,000
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SOURCE OF FUNDS:

(1) ASETF	855,000
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(2) Federal and Local Funds	<u>88,000</u>
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Total Alabama School of Fine Arts	<u>855,000</u>	<u>88,000</u>	<u>943,000</u>
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10. Firefighters' Personnel Standards and Education Commission, Alabama

(a) Professional and Occupational Licensing & Regulation Program	100,000
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The appropriation to the Alabama Firefighters Personnel Standards and Education Commission shall include a transfer to the State Personnel Department of \$240.

SOURCE OF FUNDS:

(1) ASETF	<u>100,000</u>
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Total Alabama Firefighters' Personnel Standards and Education Commission	<u>100,000</u>	<u>100,000</u>
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11. Health, Department of Public

(a) Health Support Services Program	395,794
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For immunization of preschool children and students and for public school food sanitation.

(b) Personal Health Improvement Program	791,706
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Provided, however, that the above appropriation shall be expended only for the continuation of a

perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting federal matching requirements.

SOURCE OF FUNDS:

(1) ASETF	1,187,500	
Total Department of Public Health	<u>1,187,500</u>	<u>1,187,500</u>

12. Higher Education, Commission on

(a) Planning & Coordination Services Program	824,237
(b) Alabama Student Assistance Program	1,312,781
(c) Alabama Student Grant Program	3,000,000

SOURCE OF FUNDS:

(1) ASETF	3,950,000	
(2) Federal and Local Funds ...	<u>1,187,018</u>	
Total Commission Higher Education	<u>3,950,000</u>	<u>1,187,018</u> <u>5,137,018</u>

The Alabama Student Grant funds are to be expended in accordance with Act No. 90, 1978, Second Special Session.

13. Industrial Development Training Institute, Alabama

(a) Industrial Training Program	1,100,000
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SOURCE OF FUNDS:

(1) ASETF	1,100,000	
Total Alabama Industrial Development Training Institute	<u>1,100,000</u>	<u>1,100,000</u>

14. State Board of Education - Junior College School System:

(a) Academic Instruction and Institutional Support Program ..	65,468,726
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SOURCE OF FUNDS:

(1) ASETF	41,558,994	
(2) Federal and Local Funds	9,147,864	
(3) State Funds	755,547	

(4) Other Funds	9,743,216		
(5) Auxiliary Enterprises	<u>4,263,105</u>		
Total Junior College School System	<u>41,558,994</u>	<u>23,909,732</u>	<u>65,468,726</u>

This appropriation to the Alabama State Board of Education for the Junior College Equalization Account is to be used for operation and maintenance of the Junior Colleges listed herein and is to be distributed on the following formula: (A) \$200,000 to each Junior College. (B) The remainder of the appropriation is to be allotted to each Junior College in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1980-81 by all the Junior Colleges listed in this appropriation, provided, however, the nursing and allied health programs will be funded on a cost basis based upon the 1980-81 academic year in accordance with the number of quarter hours attempted within the departments. Junior Colleges with credit producing programs in Alabama Correctional Institutions shall be reimbursed for tuition that is waived. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George C. Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville; (21) Shelton State Community College). Of the above appropriations contained herein Section 3-A-15 not more than the sum of \$270,000 may be used by the State Board of Education for administration of the state junior college program.

15. Law Institute, Alabama

(a) Support of Other Educational Activities Programs	211,000
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SOURCE OF FUNDS:

(1) ASETF	211,000	
Total Alabama Law Institute	<u>211,000</u>	<u>211,000</u>

16. Legislature

(a) House Operations & Support Program	855,000
(b) Senate Operations & Support Program	570,000

SOURCE OF FUNDS:

(1) ASETF	<u>1,425,000</u>	
Total Legislature	<u>1,425,000</u>	<u>1,425,000</u>

17. Library Service, Public

(a) Public Library Service Program	4,009,162
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The appropriation to the Public Library Service shall include a transfer to the State Personnel Department of \$2,779.

SOURCE OF FUNDS:

(1) ASETF	2,850,000		
(2) Federal and Local Funds		<u>1,159,162</u>	
Total Public Library Service	<u>2,850,000</u>	<u>1,159,162</u>	<u>4,009,262</u>

18. Marine Environmental Sciences Consortium

(a) Support of Other Educational Activities Program	547,628
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SOURCE OF FUNDS:

(1) ASETF	400,000		
(2) Federal and Local Funds		<u>147,628</u>	
Total Marine Environmental Sciences Consortium	<u>400,000</u>	<u>147,628</u>	<u>547,628</u>

19. Medical Scholarships Awards, Board of

(a) Support of Other Educational Activities Program	711,000
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SOURCE OF FUNDS:

(1) ASETF	<u>711,000</u>		
Total Board of Medical Scholarships Awards	<u>711,000</u>		<u>711,000</u>

(To be expended under the provisions of Act No. 663, 1977 Regular Session.)

20. Minimum Program and Public School Fund:

(a) Financial Assistance Program	465,263,630
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SOURCE OF FUNDS:

(1) ASETF	434,087,145		
(2) Public School Fund		26,500,000	
(3) Local Funds		<u>4,676,485</u>	
Total Minimum Program and Public School Fund	<u>434,087,145</u>	<u>31,176,485</u>	<u>465,263,630</u>

The above appropriation shall be paid in accordance with Title 16, Article 3, Code of Alabama, 1975 and all other legislation pertaining thereto.

The appropriation hereinabove set out for the fiscal year 1981-82 is based on 23,811 teacher units.

It is provided in the event there are more than 23,811 earned teacher units for the fiscal year 1981-82, then such amounts necessary to pay for these excess teacher units are hereby appropriated. It is further provided that in the event that there be less earned teacher units than those set out above then the amount that would have been necessary to pay for these earned teacher units shall not be allotted or paid.

In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

For "Board of Adjustment" awards in accordance with the Minimum Program statutes and regulations an amount not to exceed \$150,000.

For "Salaries" the amount shall not exceed a total of \$351,436,689. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	2,507.30	\$ 41,189,924
I	15,382	12,536.49	192,836,289
II	13,392	8,767.21	117,410,476
III	11,276	0	0
IV	9,792	0	0
TOTALS		<u>23,811.00</u>	<u>\$351,436,689</u>

For "Other Current Expenses" an amount shall not exceed \$2,665.68 for each earned teacher unit but the total shall not exceed the sum of \$63,472,506.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$1,544,620.

For "Principal Supplement" an amount not to exceed the total of \$2,381,100.

The above appropriation contained in sub-section (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$46,278,715.

21. Board of Education

(a) Financial Assistance Program 247,602,782

SOURCE OF FUNDS:

(1) ASETF 247,602,782

Total Board of Education 247,602,782 247,602,782

To be distributed by State Board of
Education for:

- (a) Hospital Medical Insurance
Assistance for Professional Staff,
Support Staff, and Adult School
Bus Drivers 18,598,968

Of the appropriation hereinabove made for Hospital Medical Insurance there is hereby appropriated the sum of three hundred nine dollars (\$309.00) per annum per teacher, administrative supervisory unit, full time support employee, and adult school bus driver, provided that no more than \$309.00 shall be appropriated per person.

- (b) Teachers Sick Leave 3,500,000

Of the appropriation hereinabove made for Teachers' Sick Leave, the rate of not more than \$17 per day is hereby appropriated.

- (c) Support Personnel Sick
Leave 1,431,781

The appropriation hereinabove shall provide sick leave in accordance with Act No. 208, 1977 Regular Session.

- (d) Teachers Personal
Leave 925,598

The appropriation hereinabove made to Teachers' Personal Leave provides for two (2) days personal leave at \$17 per teacher unit for each teacher employed (except ESEA Title I, Title IV and Title VI teachers and ESAA teachers).

- (e) Funds to Replace
Fees 9,500,000

Of the appropriation hereinabove made for Funds to Replace Fees there is hereby appropriated two hundred fifty dollars (\$250) per teacher unit for grades K-6 and two hundred fifty dollars (\$250) per teacher unit for grades 7-12 for all teachers employed (except ESEA, Title I, Title IV, and Title VI teachers and ESAA teachers).

- (f) Maintenance 5,630,287

- (g) Continuation of funds previously granted for Special Education 25,048,991

\$1,200,000 shall be allocated for handicapped students in Vocational Education. Of the \$24,048,991 for Special Education, \$250,000 shall be allocated to the Tuscaloosa Regional Handicapped School, \$350,000 shall be allocated to the Southwest Alabama School for Deaf and Blind and \$250,000 for the Vivian B. Adams School, \$25,000 shall be allocated to the Butler County Training School for the Mentally Retarded in Greenville, Alabama, \$25,000 shall be allocated to the Hope Haven School in Colbert County, \$25,000 shall be allocated to the Jasper Shriner School, \$25,000 shall be allocated to the Montgomery Institute of Neurological Development in Montgomery, Alabama, \$35,000 shall be allocated to the Birmingham Training Center for Brain-Injured Children in Birmingham, Alabama, \$25,000 shall be allocated to Project Independence in Coffee County, Alabama, \$50,000 to the Houston County Board of Education for the Vaughn-Blumberg center for the Developmentally Disabled, and \$18,000 to Auburn University

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Preschool for Multi-handicapped children; \$75,000 to the Alice Pitman School; and \$145,000 to the Alabama Institute for Deaf and Blind to implement the purposes of Act No. 106 and P. L. 94-142.

(h) Kindergarten teacher
units 18,890,768

The above appropriation is for 1080 teacher units and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed a total of \$15,941,774. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	114	\$1,872,792
I	15,382	569	8,752,358
II	13,392	397	5,316,624
TOTALS		1080	\$15,941,774

For "Other Current Expenses" an amount not to exceed \$2,665.68 for each earned teacher unit but the total shall not exceed the sum of \$2,878,934.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$70,060.

(i) Supportive teacher
Units 29,786,223

The above appropriation provides for one extra unit or fraction thereof for each aggregate of fifteen units or fraction thereof earned on regular units in the Minimum Program, Kindergarten units in (h), and additional units in (k). The above appropriation is for 1703 teacher units and includes salaries, other current expenses, and capital outlay at the following rates:

For "Salaries" the sum shall not exceed a total of \$25,136,096. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	180	\$ 2,957,040
I	15,382	896	13,782,272
II	13,392	627	8,396,784
TOTALS		1703	\$25,136,096

For "Other Current Expenses" an amount not to exceed \$2,665.68 for each earned teacher unit but the total shall not exceed the sum of \$4,539,653.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$110,474.

- (j) Continuation of Teacher Units
to reduce pupil-teacher ratio in
grades 1-6 11,369,722

The above appropriation is for 650 teacher units and includes salaries, other current expenses, and capital outlay at the following rates:

For "Salaries" the sum shall not exceed of \$9,594,864. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	69	\$1,133,532
I	15,382	342	5,260,644
II	13,392	239	3,200,688
TOTALS		<u>650</u>	<u>\$9,594,864</u>

For "Other Current Expenses" an amount not to exceed \$2,665.68 for each earned teacher unit but the total shall not exceed the sum of \$1,732,692.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$42,166.

- (k) Special Education 57,641,490

The above appropriation is for 3250 teacher units and includes salaries, other current expenses, and capital improvements and transportation at the following rates:

For "Salaries" the sum shall not exceed \$47,967,202. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	342	\$ 5,618,376
I	15,382	1711	26,318,602
II	13,392	1197	16,030,224
TOTALS		<u>3250</u>	<u>\$47,967,202</u>

For "Other Current Expenses" an amount not to exceed \$2,665.68 for each earned teacher unit but the total shall not exceed the sum of \$8,663,460.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$210,828.

For "Transportation" the total shall not exceed \$800,000.

- (1) Vocational teacher
units 53,317,265

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon the recommendation of the State Superintendent.

(m) Driver Education . 5,832,089

The above appropriation is for 324 driver education units or other teacher units as approved by the local Board of Education and includes salaries, other current expenses, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed \$4,947,391. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided however the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	\$16,428	50	\$ 821,400
I	15,382	225	3,460,950
II	13,392	49	665,041
TOTALS		324	\$4,947,391

For "Other Current Expenses" an amount not to exceed \$2,665.68 for each earned teacher unit but the total shall not exceed the sum of \$863,680.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$21,018.

(n) Salary increase for lunchroom
workers formerly
granted 6,129,600

22. Nursing, Alabama Board of

(a) Professional and Occupational
Licensing and Regulation Pro-
gram 607,000

The appropriation to the Alabama
Board of Nursing shall include a
transfer to the State Personnel
Department of \$527.

SOURCE OF FUNDS:

(1) ASETF - as provided in Act No. 68, 1977 Special Session, Schol- arships for Graduate Nurses ..	57,000		
(2) Alabama Board of Nursing Trust Fund - as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended		550,000	
Total Alabama Board of Nursing	57,000	550,000	607,000

23. Peace Officers Standards and
Training Commission, Alabama

(a) Professional and Occupational
Licensing and Regulation Pro-
gram 110,025

(b) Certified Law Enforcement
Academy Programs 199,975

Jacksonville State
University 38,000
University of Alabama ... 38,000
James H. Faulkner Jr. Col. 38,000
Troy St. Univ. Montgomery 38,000
Dept. of Public Safety - Craig
AFB 47,975

The appropriation to the Alabama
Peace Officers Standards and
Training Commission shall in-
clude a transfer to the State Per-
sonnel Department of \$96.

SOURCE OF FUNDS:

(1) ASETF	310,000	
Total Alabama Peace Officers Standards and Training Com- mission	310,000	310,000

24. Physical Fitness, Commission
on

(a) Advisory Services Program ..		100,000
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The appropriation to the Commis-
sion on Physical Fitness shall in-
clude a transfer to the State Per-
sonnel Department of \$240.

SOURCE OF FUNDS:

(1) ASETF	100,000	
Total Commission on Physical Fit- ness	100,000	100,000

25. State Board of Education -
Postsecondary Vocational-
Technical Education System

(a) Academic Instruction and In- stitutional Support Program ..		50,817,266
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SOURCE OF FUNDS:

(1) ASETF	34,201,713	
(2) ASETF-Capital Outlay- Equipment	735,521	

(For awards to individual institu-
tions that wish to expand their
vocational training for high
technology programs. These
awards are to be made by the
State Board of Education).

(3) Federal and Local Funds	1,314,867	
(4) State Funds	711,425	

(5) Other Funds	9,707,464		
(6) Auxiliary Enterprises	<u>4,146,276</u>		
Total Postsecondary Vocational- Technical Education System ..	<u>34,937,234</u>	<u>15,880,032</u>	<u>50,817,266</u>

(A) For the operations and maintenance of the Vocational-Technical Schools listed herein, to be distributed in accordance with a formula adopted by the State Board of Education. The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Division; (7) Carver State Technical College; (8) J. F. Drake State Technical College; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical Institute; (12) Theodore A. Lawson State Community College-Technical Division; (13) Douglas McArthur State Technical College; (14) Muscle Shoals State Technical College; (15) Northwest Alabama Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed. E. Reid Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncy Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker State Technical College; (26) George C. Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville). Of the above appropriations contained herein in Section 3-A-26 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

26. Shelton State Community
College-State Fire College:

(a) Academic Instruction and Institutional Support Program ..	228,559
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SOURCE OF FUNDS:

(1) ASETF	<u>228,559</u>	
Total Shelton State Community College-State Fire College	<u>228,559</u>	<u>228,559</u>

27. Social Security (ASETF Share)

(a) For State's share of Social Security, Estimated	80,424,668
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SOURCE OF FUNDS:

(1) ASETF	<u>80,424,668</u>	
Total Social Security (ASETF Share)	<u>80,424,668</u>	<u>80,424,668</u>

28. Teachers' Retirement System
of Alabama

(a) Retirement Systems Program	167,696,985
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SOURCE OF FUNDS:

(1) ASETF - Teachers Retirement System	154,284,585	
(2) ASETF - Teachers Special Pension Fund, Estimated	<u>13,412,400</u>	
Total Retirement Systems Program (State's Share)	<u>167,696,985</u>	<u>167,696,985</u>

In addition to the above appropriation, \$2,463,554 is hereby appropriated to the Teachers' Retirement System to be conditioned on the availability of funds and the approval of the Governor.

29. Tenure Commission, State

(a) Regulation Program	8,000
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SOURCE OF FUNDS:

(1) ASETF	<u>8,000</u>	
Total State Tenure Commission .	<u>8,000</u>	<u>8,000</u>

30. Television Commission, Education

(a) Educational TV Services Program	3,159,265
(b) Public Radio Services Program	258,302

SOURCE OF FUNDS:

(1) ASETF	2,135,000	
(2) Federal and Local Funds	<u>1,282,567</u>	
Total Education Television Commission	<u>2,135,000</u>	<u>1,282,567</u> <u>3,417,567</u>

31. Unemployment Compensation

1,750,000

SOURCE OF FUNDS:

(1) ASETF	<u>1,750,000</u>	
Total Unemployment Compensation	<u>1,750,000</u>	<u>1,750,000</u>

32. Veterans' Education Benefits

(a) Administration of Veterans' Affairs Programs	1,154,250
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SOURCE OF FUNDS:

(1) ASETF	<u>1,154,250</u>	
Total Veterans' Education Benefits	<u>1,154,250</u>	<u>1,154,250</u>

The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, Junior College, or Vocational-Technical School in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

33. Youth Services, Department of

(a) Youth Services Program	9,885,491
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The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$17,682.

SOURCE OF FUNDS:

(1) ASETF	8,204,835		
(2) Federal and Local Funds		<u>1,680,656</u>	
Total Department of Youth Services	<u>8,204,835</u>	<u>1,680,656</u>	<u>9,885,491</u>

(To be expended in accordance with Act No. 816, 1973 Regular Session).

Section 4.

A. Financial Assistance to Non-State Educational Agencies

1. Environmental Quality Association, Alabama

(a) Environmental Education Program	162,750
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SOURCE OF FUNDS:

(1) ASETF	<u>162,750</u>	
Total Alabama Environmental Quality Association	<u>162,750</u>	<u>162,750</u>

2. Sylacauga Nurses Training School

(a) Support of Other Educational Activities Program	84,600
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SOURCE OF FUNDS:

(1) ASETF	<u>84,600</u>	
Total Sylacauga Nurses Training School	<u>84,600</u>	<u>84,600</u>

Section 5.

COLLEGES, UNIVERSITIES
AND SCHOOLS

I. Board of Trustees of University
of Alabama

A. The University

1. Operations and Maintenance .	34,044,400	32,814,276	66,858,676
2. Research, Extension and Public Service	1,971,000	254,834	2,225,834
3. Emergency Medical Services .	134,000	106,675	240,675
4. Center for Emotionally Dis- turbed Children	507,000	551,152	1,058,152
5. Nursing Scholarships	17,000		17,000
6. School of Mines	1,104,000	1,078,598	2,182,598
7. Family Practice Center	798,000	746,722	1,544,722
8.A. Alabama Museum of Natural History	59,000	53,337	112,337
B. Maintenance for Moundville St. Park	100,000		100,000
9. College of Community Health Services Medical Education ...	2,318,000	1,463,812	3,781,812
10. Vocational Teacher Training	362,000	213,349	575,349
11. Cooperative University Upper Division Program-Gadsden	206,000	88,895	294,895
12. Rural Infant Stimulation En- vironment Program	133,000	72,116	205,116
13. High Risk Nursery	108,000		108,000
14. Safe State Program	165,000		165,000
15. Auxiliary Enterprises		<u>21,820,871</u>	<u>21,820,871</u>

SOURCE OF FUNDS:

(1) ASETF	42,026,400		
(2) Other Funds		<u>59,264,637</u>	
Total University of Alabama	42,026,400	59,264,637	101,291,037

B. University of Alabama in Bir-
mingham

1. University College	13,851,630	13,917,748	27,769,378
2. School of Public and Allied Health	2,430,087	2,200,233	4,630,320
3. Regional Technical Institute ..	2,059,141	448,591	2,507,732
4. Joint Health Sciences	2,898,760	1,602,112	4,500,872
5. Student Nurses Loans	11,400		11,400
6. Nursing Scholarships	83,900		83,900

7. School of Nursing	3,437,581	2,670,186	6,107,767
8. Center for Labor Education and Research	270,936		270,936
9. Urban Research and Public Service	312,174		312,174
10. School of Medicine	16,124,859	51,587,998	67,712,857
11. School of Optometry	2,145,838	2,050,703	4,196,541
12. School of Dentistry	7,293,432	10,445,768	17,739,200
13. System Medical Education Program	502,968		502,968
14. Family and Other Primary Care Residency Program	1,616,207		1,616,207
The above appropriation shall be expended for residency programs as follows:			
Anniston	254,461		
East End	254,461		
Jefferson County	254,461		
Montgomery	254,462		
Selma	343,900		
Gadsden	254,462		
15. Montgomery Internal Medicine	245,240		245,240
16. University Hospital	5,955,206	117,426,684	123,381,890
17. School of Engineering and Business	190,000		190,000
18. Public Health School	190,000		190,000
19. Department of Pediatrics	317,321		317,321
20. Health-Related Research and Public Service	2,885,058		2,885,058
21. Emergency Medical Training	164,722		164,722
22. Hypertension Research	399,570		399,570
23. Multipurpose Arthritis Center	399,570		399,570
24. Medical Genetics Program ..	190,000		190,000
25. Special Mental health		3,222,284	3,222,284
26. Center for Development and Learning Disorders		544,707	544,707
27. Auxiliary Enterprises		7,497,883	7,497,883
SOURCE OF FUNDS:			
(1) ASETF	63,975,600		
(2) Special mental Health Fund ..		3,766,991	
(3) Other Funds		<u>209,847,906</u>	

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Total University of Alabama in Birmingham	63,975,600	213,614,897	277,590,497
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C. University of Alabama in Huntsville

1. Operations and Maintenance .	6,216,639	6,835,058	13,051,697
2. School of Nursing Scholarships	18,000		18,000
3. Center for Management and Economic Research	47,500		47,500
4. School of Primary Medical Care	2,753,481	443,955	3,197,436
5. Community Medicine Rural Preceptorship Program	28,500		28,500
6. Johnson Environmental and Energy Center	273,164	1,632,460	1,905,624
7. Ambulatory Care Center	647,684	810,449	1,458,133
8. School of Nursing	849,535	298,282	1,147,817
9. Paramedic Training	125,315		125,315
10. Alabama Solar Energy Center	272,182		272,182
11. Auxiliary Enterprises		<u>1,541,125</u>	<u>1,541,125</u>

SOURCE OF FUNDS:

(1) ASETF	11,232,000	
(2) Other Funds		<u>11,561,329</u>

Total University of Alabama in Huntsville	<u>11,232,000</u>	<u>11,561,329</u>	<u>22,793,329</u>
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II. Board of Trustees of Alabama A. & M. University

A. Alabama A & M University

1. Operations and Maintenance .	8,830,052	10,354,005	19,184,057
2. Vocational Teacher Training .	249,148		249,148
3. Auxiliary Enterprises		<u>3,143,590</u>	<u>3,143,590</u>

SOURCE OF FUNDS:

(1) ASETF	9,079,200	
(2) Other Funds		<u>13,497,595</u>

Total Alabama A & M University	<u>9,079,200</u>	<u>13,497,595</u>	<u>22,576,795</u>
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III. Board of Trustees of Alabama State University

A. Alabama State University

1. Operations and Maintenance .	7,815,600	4,713,720	12,529,320
2. Auxiliary Enterprises		<u>4,033,209</u>	<u>4,033,209</u>

SOURCE OF FUNDS:

(1) ASETF	7,815,600
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(2) Other Funds		<u>8,746,929</u>	
Total Alabama State University .	<u>7,815,600</u>	<u>8,746,929</u>	<u>16,562,529</u>
IV. State Board of Education			
A. Athens State College			
1. Operations and Maintenance .	1,508,000	1,023,268	2,531,268
2. Auxiliary Enterprises		<u>246,768</u>	<u>246,768</u>
SOURCE OF FUNDS:			
(1) ASETF	1,508,000		
(2) Other Funds		<u>1,270,036</u>	
Total Athens State College	<u>1,508,000</u>	<u>1,270,036</u>	<u>2,778,036</u>
V. Board of Trustees of Auburn University			
A. Auburn University			
1. Operations and Maintenance .	37,333,874	30,986,312	68,320,186
2. School of Nursing	403,750		403,750
3. Educational Television	357,876		357,876
4. Center for Vocational and Adult Education	508,250		508,250
5. Clinical Psychology	111,815		111,815
6. Engineering Experiment Station	821,251		821,251
7. Public Service, Research and Extension	366,814		366,814
8. Energy Research	262,010		262,010
9. Food Animal Health & Disease Research	190,000		190,000
10. Auxiliary Enterprises		<u>22,392,348</u>	<u>22,392,348</u>
SOURCE OF FUNDS:			
(1) ASETF	40,355,640		
(2) Other		<u>53,378,660</u>	
Total Auburn University	<u>40,355,640</u>	<u>53,378,660</u>	<u>93,734,300</u>
B. Agricultural Experiment Station			
1. Operations and Maintenance .	<u>7,768,800</u>	<u>9,403,617</u>	<u>17,172,417</u>
SOURCE OF FUNDS:			
(1) ASETF	7,768,800		
(2) Other		<u>9,403,617</u>	
Total Agricultural Experiment Station	<u>7,768,800</u>	<u>9,403,617</u>	<u>17,172,417</u>

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C. Cooperative Extension Service

1. Operations and Maintenance .	8,444,313	9,516,553	17,960,866
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SOURCE OF FUNDS:

(1) ASETF	8,444,313		
(2) Other		9,516,553	

Total Cooperative Extension Service	8,444,313	9,516,553	17,960,866
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D. Auburn University at Montgomery

1. Operations and Maintenance .	5,807,535	4,538,222	10,345,757
2. Montgomery Area Community Health Sciences Institute	49,465		49,465
3. Public Service, Research and Extension (Center from Government and Public Affairs) ...	155,325	31,560	186,885
4. School of Nursing	258,875	2,922	261,797
5. Auxiliary Enterprises		1,271,754	1,271,754

SOURCE OF FUNDS:

(1) ASETF	6,271,200		
(2) Other		5,844,458	

Total Auburn University at Montgomery	6,271,200	5,844,458	12,115,658
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VI. Board of Trustees of Jacksonville State University

A. Jacksonville State University

1. Operations and Maintenance .	11,031,250	4,590,172	15,621,422
2. Cooperative Univ. Upper Division Program - Gadsden	460,750	129,158	589,908
3. Nursing Scholarships	18,000		18,000
4. United Cerebral Palsy Development Center for East Central Alabama	95,000		95,000
5. Vocational Teacher Training .	95,000		95,000
6. Auxiliary Enterprises		1,611,942	1,611,942

SOURCE OF FUNDS:

(1) ASETF	11,700,000		
(2) Other		6,331,272	

Total Jacksonville State University	11,700,000	6,331,272	18,031,272
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VII. Board of Trustees of Livingston State University

A. Livingston State University

1. Operations and Maintenance .	3,632,400	1,113,014	4,745,414
2. Nursing Scholarships	18,000		18,000
3. Auxiliary Enterprises		<u>1,749,676</u>	<u>1,749,676</u>

SOURCE OF FUNDS:

(1) ASETF	3,650,400		
(2) Other		<u>2,862,690</u>	
Total Livingston State University	<u>3,650,400</u>	<u>2,862,690</u>	<u>6,513,090</u>

VIII. Board of Trustees of University of Montevallo

A. University of Montevallo

1. Operations and Maintenance .	5,730,728	3,240,820	8,971,548
2. School for Aphasic Children ..	206,172	17,207	223,379
3. Highway Safety Program	128,759		128,759
4. Communication Center	18,341	68,827	87,168
5. Auxiliary Enterprises		<u>2,606,540</u>	<u>2,606,540</u>

SOURCE OF FUNDS:

(1) ASETF	6,084,000		
(2) Other Funds		<u>5,933,394</u>	
Total University of Montevallo ..	<u>6,084,000</u>	<u>5,933,394</u>	<u>12,017,394</u>

IX. Board of Trustees of University of North Alabama

A. University of North Alabama

1. Operations and Maintenance .	7,423,200	5,258,248	12,681,448
2. Nursing School Scholarships .	18,000		18,000
3. Auxiliary Enterprises		<u>1,478,777</u>	<u>1,478,777</u>

SOURCE OF FUNDS:

(1) ASETF	7,441,200		
(2) Other		<u>6,737,025</u>	
Total University of North Alabama	<u>7,441,200</u>	<u>6,737,025</u>	<u>14,178,225</u>

X. Board of Trustees of South Alabama

A. University of South Alabama

1. Operations and Maintenance .	11,462,630	10,130,432	21,593,062
2. Medical Research and Public Service	260,549		260,549

(Includes Statewide Medical Education, Ambulatory Care,

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Human and Clinical Nutrition Program and Reproductive Health Sciences Center.)			
3. Family Practice Residency Program	520,945		520,945
4. College of Medicine	8,512,059	8,661,314	17,173,373
5. Medical Center Hospital	1,049,366	35,087,760	36,137,126
6. Newborn Growth and Develop- ment Program	74,101		74,101
7. Division of Allied Health	706,351	123,902	830,253
8. School of Nursing	650,416	241,903	892,319
9. Nursing Scholarships	16,733	5,900	22,633
10. Research, Public Service and Extension	85,097	41,301	126,398
11. Paramedic Training Program	129,080	70,801	199,881
12. Basic Medical Sciences	253,378		253,378
13. Birth Defect Genetic Center .	182,863		182,863
14. Auxiliary Enterprises		<u>4,637,461</u>	<u>4,637,461</u>

SOURCE OF FUNDS:

(1) ASETF	23,903,568		
(2) Other		<u>59,000,774</u>	
Total University of South Alabama	<u>23,903,568</u>	<u>59,000,774</u>	<u>82,904,342</u>

XI. Board of Trustees of Troy State
University

1. Operations and Maintenance at Troy	6,759,200	4,702,289	11,461,489
2. Operations and Maintenance at Ft. Rucker/Dothan	926,250	1,266,724	2,192,974
3. Operations and Maintenance in Montgomery	237,500	1,625,065	1,862,565
4. Nursing Scholarships	36,000		36,000
5. Operations and Maintenance at Bay Minette	53,200	543,777	596,977
6. School of Nursing-Montgomery	237,500	20,047	257,547
7. Branch Campus at Phenix City	80,750	428,506	509,256
8. Auxiliary Enterprises		<u>3,943,007</u>	<u>3,943,007</u>

SOURCE OF FUNDS:

(1) ASETF	8,330,400		
(2) Other		<u>12,529,415</u>	
Total Troy State University	<u>8,330,400</u>	<u>12,529,415</u>	<u>20,859,815</u>

XII. Board of Trustees for Ala-
bama Institute for Deaf and
Blind

A. Alabama Institute for Deaf and

1. Operations and Maintenance .	5,200,000	2,267,127	7,467,127
B. Department of Adult Blind and Deaf			
1. Special Technical Facility	1,485,840	2,340,572	3,826,412
2. Industries for the Blind	487,000	7,432,278	7,919,278
SOURCE OF FUNDS:			
(1) ASETF	7,172,840		
(2) Other		<u>12,039,977</u>	
Total Alabama Institute for Deaf & Blind	<u>7,172,840</u>	<u>12,039,977</u>	<u>19,212,817</u>
Section 6.			
A. Governor's Education Program			2,000,000
To the State Department of Education - Board of Education with Governor's approval. For Basic Learning Skills Teams, Standard Schools Program and Liability Insurance.			
SOURCE OF FUNDS:			
(1) ASETF	<u>2,000,000</u>		
Total Governor's Education Program	<u>2,000,000</u>		<u>2,000,000</u>
Section 7.			
Conditional Appropriations:			
(A) University of Alabama - Alabama Law School Clinical Education			120,000
(B) University of Alabama in Birmingham			
1. Medical Genetics Program ...			100,000
2. Diabetic Institute			100,000
3. School of Business			125,000
4. School of Engineering			125,000
(C) University of Alabama - Huntsville			100,000
(D) Alabama A & M University			
1. Cooperative Extension Research			200,000
(E) Alabama State University ..			100,000
(F) Athens State College			100,000
(G) Auburn University			

1. Engineering Experiment Station	200,000
2. Agriculture Experiment Station	200,000
3. Cooperative Extension Service	200,000
(H) Auburn University, Montgomery	100,000
(I) Jacksonville State University	100,000
(J) Livingston State University .	100,000
(K) University of Montevallo ...	100,000
(L) University of North Alabama	100,000
(M) University of South Alabama	100,000
(N) Troy State University	100,000
(O) State Board of Education	
1. Junior College School System	100,000
(P) Opportunities Industrializa- tion Centers	100,000
(Q) Trenholm State Technical Col- lege	100,000

The above appropriations in Section 7 are conditioned upon the condition of the Alabama Special Educational Trust Fund and approval of the Governor.

Section 8.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama for the University of Alabama in Birmingham \$3,222,284 to be expended for Special Mental Health.

(2) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama for the University of Alabama in Birmingham \$544,707 to be expended for the Center for Developmental and Learning Disorders.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools. There is hereby appropriated twenty-six million five hundred thousand dollars (\$26,500,000) from the Public School Fund to the Minimum Program to be expended under the Financial Assistance Program as shown in subsection 3-20-A on page 18. If the Public School Fund receives more revenue than appropriated for the fiscal year ending September 30, 1982, the excess in revenue shall be carried over as a beginning balance for the fiscal year beginning October 1, 1982.

Section 9. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this Act, whereupon the Comptroller, shall issue his warrant therefor. All other appropriations in this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 10. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or ellemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provisions of this appropriation.

Section 11. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 12. This act shall become effective on October 1, 1981.

REPORT OF COMMITTEE ON CONFERENCE ADOPTED

On motion of Rep. Owens, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 77, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 93; Nays 5.

Yeas.^

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—93

Nays: Reps. Albright, Buskey, Holmes, Langford and Wyatt.

—5

On motion of Rep. Owens the rules were suspended for passage of the bill, H. 77, according to House Rule 21(a).

Yeas 94; Nays 5.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—94

Nays: Reps. Albright, Buskey, Holmes, Langford and Wyatt.

—5

And the bill:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 95; Nays 5.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—95

Nays: Reps. Albright, Buskey, Holmes, Horn and Wyatt.

—5

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

S. J. R. 45. COMMENDING MR. CRAIG FRANCIS SMALL FOR SERVICE TO THE STATE OF ALABAMA IN HIS CAPACITY AS ADMINISTRATIVE ASSISTANT TO GOVERNOR FOB JAMES.

On motion of Rep. Biddle, the resolution, S. J. R. 45, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 46. To provide that the State Department of Revenue shall collect all gasoline taxes now or hereafter levied in Marshall County including taxes which may have become due before the effective date of this act and to authorize said department to promulgate rules and regulations to provide for the efficient and orderly collection of said taxes and to require all persons subject to such taxes to pay same over to the Department of Revenue and to provide for the recovery of the cost of collection of such taxes out of the proceeds thereof.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speake of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. J. R. 66. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, Thursday, August 13, 1981, they adjourn sine die.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 66, was adopted.

Yeas 81; Nays 8.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Bennett, Blake, Bowling, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Escott, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

Nays:

Reps. Ford, Gafford, Gregg, Horn, Howard, Smith (M), Turnham and Wyatt.

—8

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 62. HONORING MR. JOHN H. GLANTON, SR., DOTHAN, ALABAMA.

Also:

H. J. R. 65. SETTING MEETING DAYS OF THE LEGISLATURE.

Also:

H. J. R. 16. BUDGET MANAGEMENT ACT LEGISLATIVE REVIEW COMMITTEE CREATED.

Also:

H. J. R. 64. MOURNING THE DEATH OF MR. LEROY G. MONSKY, SR.

Also:

H. J. R. 59. URGING THE OIL COMPANIES DRILLING FOR HYDROCARBON RESOURCES IN THE WATERS OF ALABAMA TO HIRE ALABAMIANS.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 16. BUDGET MANAGEMENT ACT LEGISLATIVE REVIEW COMMITTEE CREATED.

Also:

H. J. R. 59. URGING THE OIL COMPANIES DRILLING FOR HYDROCARBON RESOURCES IN THE WATERS OF ALABAMA TO HIRE ALABAMIANS.

Also:

H. J. R. 62. HONORING MR. JOHN H. GLANTON, SR, DOTHAN ALABAMA.

Also:

H. J. R. 64. MOURNING THE DEATH OF MR. LEROY G. MONSKY, SR.

Also:

H. J. R. 65. Relative to Legislative meeting dates: Thursday, August 13, 1981 and Tuesday, August 18, 1981.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:25 A. M. on August 13, 1981.

H. 78.

Delivered to the Governor at 3:20 P. M. on August 13, 1981.

H. 19

H. 21

H. 42

H. 45

H. 50

H. 91

H. 92

H. 93

H. J. R. 46

H. J. R. 47

H. J. R. 49

H. J. R. 52

H. J. R. 55

Delivered to the Governor at 4:05 P. M. on August 13, 1981.

H. 10

H. 38

H. J. R. 58

Delivered to the Governor at 5:00 P. M. on August 13, 1981.

H. 1

H. J. R. 53

Delivered to the Governor at 9:10 P. M. on August 13, 1981.

H. J. R. 54

H. 46

Delivered to the Governor at 9:30 P. M. on August 13, 1981.

H. J. R. 16

H. J. R. 59

H. J. R. 62

H. J. R. 64

H. J. R. 65

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Manley, the House adjourned until 4:00 o'clock p. m., Tuesday, August 18, 1981.

Yeas 37: Nays 16.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Campbell, Carothers, Carter, Clark (G), Cobb, Coburn, Cosby, Dial, Gilmer, Gregg, Grouby, Hammett, Harper (T), Harvey, Kelley, Laird, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Owens, Pegues, Sandusky, Sasser, Seibels, Shoemaker, Turnham, Ward, Whatley, Williams and Zoghby.

—37

Nays:

Reps. Albright, Cates, Cheatwood, Daniels, Hall, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Langford, Smith (C), Smith (M), Stewart, Turner, Willis and Wyatt.

—16

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 18, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Ovie W. Mathison, Chaplain, Law Enforcement Ministries, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 108. Relating to Lawrence County; providing that the payment of an expense allowance in the amount of \$100.00 per month being paid by the County Commission to the members of the Board of Education shall be discontinued and thereafter such payment shall be paid from the public school funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

And said Bill, H. B. 77, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

At the request of Rep. Roberts, leave of absence was granted for Rep. Patton.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 67. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, Tuesday, August 18, 1981, they adjourn sine die.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 67, was adopted.

Also:

By Rules Committee:

H. R. 68. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business August 18, 1981, taking precedence over any other business of the House.

Report of Standing Committees

Introduction of Bills and Resolutions

Uncontested Local Bills

And the following Bills:

By Mr. Gulledge:

S. 25 p. 28 Municipal assessments

By Mr. Martin:

S. 43 p. 28 Leases of public lands

By Mr. Cook:

S. 4 p. 27 Circuit Judges, Tenth Judicial Circuit

By Mr. St. John:

S. 41 p. 25 Agricultural fairs

By Mr. St. John:

S. 6 p. 25 State Council of the Arts and Humanities

By Mr. Barron:

S. 81 p. 29 Revenue Department

SUBSTITUTE OFFERED

Rep. Tucker offered the following substitute to the resolution, H. R. 68:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business August 18, 1981, taking precedence over any other business of the House.

Report of Standing Committees

Introduction of Bills and Resolutions

Uncontested Local Bills

And the following Bills:

By Mr. Gullede:

S. 25 p. 28 Municipal assessments

By Mr. Martin:

S. 43 p. 28 Leases of public lands

By Mr. St. John:

S. 41 p. 25 Agricultural fairs

By Mr. St. John:

S. 6 p. 25 State Council of the Arts and Humanities

By Mr. Barron:

S. 81 p. 29 Revenue Department

SUBSTITUTE TABLED

On motion of Rep. Biddle, the substitute offered by Rep. Tucker to the resolution, H. R. 68, was tabled.

Yeas 11; Nays 10.

Yeas:

Reps. Biddle, Cabaniss, Carothers, Gafford, Hall, Moore, Payne, Shavers, Trammell, Waggoner and Williams.

—11

Nays:

Reps. Buskey, Cheatwood, Escott, Gilmer, Horn, Jackson, Kennedy, Langford, Tucker and Wyatt.

—10

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION ADOPTED

On motion of Rep. Biddle, the resolution, H. R. 68, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 38. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Also:

S. 70. To amend Section 2, Subsection D, 31, of Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to change the appropriation for the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama to the Center for Basic Sciences Reward for Cystic Fibrosis at the University of Alabama in Birmingham.

Also:

S. 16. To amend Section 40-14-70, Code of Alabama 1975, relating to assessment and collection of corporate shares of stock, so as to alter the method of assessment.

Also:

S. 28. To limit the liability of certain persons and organizations that donate and distribute food free of charge.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 41. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE FEDERAL CONSTITUTION REQUIRING UNITED STATES SUPREME COURT JUSTICES AND ALL FEDERAL JUDGES TO BE ELECTED.

Also:

S. J. R. 44. MOURNING THE DEATH OF FORMER EUFAULA MAYOR EUGENE C. PARKER AND HIS WIFE, MRS. SOLITA PARKER.

Also:

S. J. R. 45. COMMENDING MR. CRAIG FRANCIS SMALL FOR SERVICE TO THE STATE OF ALABAMA IN HIS CAPACITY AS ADMINISTRATIVE ASSISTANT TO GOVERNOR FOB JAMES.

Also:

S. J. R. 48. EXPRESSING APPRECIATION TO MR. ROBERT J. POTTER FOR HIS CONTRIBUTION TO THE RE-OPENING OF THE GULF STATE PARK COMPLEX.

Also:

S. J. R. 49. COMMENDING MR. AND MRS. JOHN RAY NELSON AND THE STAFF AND EMPLOYEES OF THE BON SECOUR FISHERIES.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 89. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and

capital improvements for the fiscal year ending September 30, 1982.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 108. Relating to Lawrence County; providing that the payment of an expense allowance in the amount of \$100.00 per month being paid by the County Commission to the members of the Board of Education shall be discontinued and thereafter such payment shall be paid from the public school funds.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolution was introduced:

By Rep. Ray:

H. J. R. 69. EXPRESSING APPRECIATION OF THE LEGISLATURE TO THE CHARLES HENDERSON HIGH SCHOOL BAND.

WHEREAS, on behalf of the citizenry of Alabama and of our nation as well, the Alabama Legislature expresses deep gratitude to the Charles Henderson High School Band of Troy, Alabama, for its representation of the United States in the International Festival of Marching Bands held July 11th in London, England; and

WHEREAS, this championship band from the Heart of Dixie, under the leadership of Band Director Paschal Ward, was the only high school band in the nation selected for participation and, as such, served as ambassadors of talent and goodwill for the entire United States; and

WHEREAS, approximately 115 members of "The Blue Machine" journeyed to London to march in exhibition in the prestigious International Festival, and annual invitational event of world-wide eminence; and

WHEREAS, these talented young Alabamians from Troy stayed in private homes in nearby suburban Basildon during their visit and thereby further served as goodwill envoys from America and their own home state; and

WHEREAS, it was indeed an honor for the Charles Henderson High School Band to be invited to participate in the International Festival and to have now established their group as one of the finest marching bands in the world; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate and most highly praise and commend the Charles Henderson High School Band of Troy, Alabama; we further voice our appreciation for the fame and honor they have brought to our state and nation and direct that a copy of this resolution be provided for appropriate display at Charles Henderson High School.

On motion of Rep. Ray, the rules were suspended and the resolution, H. J. R. 69, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Smith (C), Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. R. 70. EXTENDING HAPPY BIRTHDAY WISHES TO GOVERNOR GEORGE C. WALLACE.

Also:

The following resolution was introduced:

By Rep. Turnham:

H. J. R. 71. COMMENDING MR. ROBERT HENRY OF AUBURN, ALABAMA, NATIONALLY PROMINENT HUMORIST AND THE RECIPIENT OF RECENT HIGH HONORS.

WHEREAS, Alabama's own Robert Henry of Auburn, nationally prominent humorist and motivational speaker, was honored recently as a recipient

of the coveted C.P.A.E. Award of the National Speakers Association, and was further belauded by his peers through election to the vice presidency of the Association; and

WHEREAS, as a designee for this prestigious award, Mr. Henry has joined a select group of only 52 living speakers in America to be so recognized for the highest level of excellence in professional speaking; and

WHEREAS, among other recipients named at the recent national convention was President Ronald Reagan and Mr. Henry will soon journey to Washington to receive his award, along with our President, in ceremonies to be held at the White House; and

WHEREAS, Mr. Robert Henry, who is a former professor in the School of Pharmacy at Auburn University, is in great demand as a speaker for meetings, conventions and other programs throughout the entire United States; his speeches reflect a rare and inimitable wit which not only fills the audience with infectious laughter and joy but motivates his listeners as well to serious thought and reflection upon life and abundant fulfillment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Robert Henry as a recipient of the C.P.A.E. Award of the National Speakers Association and on his election as vice president of the organization.

BE IT FURTHER RESOLVED, That Mr. Henry receive a copy of this resolution, tendered in high praise and regard and in token of our utmost appreciation of his outstanding talent and ability.

On motion of Rep. Turnham, the rules were suspended and the resolution, H. J. R. 71, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Smith (J) and Hall:

H. R. 72. COMMENDING MRS. BARBARA BATTIN DUPREE, EXECUTIVE DIRECTOR OF THE HUNTSVILLE HOSPITAL FOUNDATION, ON RECENT HONORS OF THE SOUTHERN PUBLIC RELATIONS FEDERATION.

Also:

By Rep. Smith (J):

H. R. 73. COMMENDING JUDGE JOHN W. GREEN, JR., OF HUNTSVILLE UPON HIS RETIREMENT.

Also:

By Rep. Smith (J):

H. R. 74. COMMENDING MR. JOHN GLENN FOR OUTSTANDING SERVICE TO THE CITY OF HUNTSVILLE.

Also:

By Reps. Starkey and Higginbotham:

H. R. 75. HONORING MRS. ELIZABETH WOMACK McDONALD FOR HER LONGTIME DEDICATED SERVICE TO COFFEE HIGH SCHOOL, FLORENCE, ALABAMA.

Also:

The following resolution was introduced:

By Reps. Starkey and Higginbotham:

H. J. R. 76. HONORING MRS. ELIZABETH WOMACK McDONALD FOR HER LONGTIME DEDICATED SERVICE TO COFFEE HIGH SCHOOL, FLORENCE, ALABAMA.

WHEREAS, it is with great pleasure indeed that we join with fellow citizens, former students and friends of Mr. Elizabeth Womack McDonald in grateful recognition of her many years of service in public education and, most particularly, as a member of the faculty of Coffee High School; and

WHEREAS, a seventh generation native of Florence, Mrs. McDonald is a 1922 graduate of her beloved Coffee High School where she helped publish the school's first annual, "The Coffeepot," and where a lifetime of cheering for her alma mater began as a varsity cheerleader; and

WHEREAS, "Miz Mac," as she is widely and affectionately known, holds a Bachelor's Degree from Florence State Teachers College and a Master's Degree from the University of Alabama, and her active teaching career spanned some 44 years, 32 of which were spent at Coffee High School; and

WHEREAS, during this long tenure, Miz Mac was also active in numerous of the school's extra-curricular activities including sponsorship of the cheerleaders, the history pageants and oratorical contests; she additionally taught summer session ever year from 1942 until 1971; and

WHEREAS, in 1972, Mrs. McDonald served as state president of the AEA Historical Association and since retirement, in addition to substitute teaching, has given numerous lectures, as a noted local historian, and has served as tour guide for a group of retired travelers known as the "Roadrunners"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mrs. Elizabeth Womack McDonald on her outstandingly dedicated career and further voice our deep gratitude to "Miz Mac" who, during her tenure at Coffee High School, has so favorably influenced the lives of an estimated 8,759 young students entrusted to her charge and care.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for presentation to Mrs. Elizabeth Womack McDonald in token of our sincere praise and warm regard.

On motion of Rep. Starkey, the rules were suspended and the resolution, H. J. R. 76, was adopted.

Also:

By Reps. Sasser, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss,

Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 77. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Land Commissioner be requested to withhold any sales of property owned by innocent property owners until the Legislature at the next session is able to enact legislation that would have the effect of getting this matter corrected.

On motion of Rep. Sasser, the rules were suspended and the resolution, H. J. R. 77, was adopted.

SPECIAL ORDER

The House then proceeded with the consideration of the bills on the Special Order Calendar.

And the bill:

H. 128. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 31; Nays 0.

Yeas:

Mr. Speaker, Blake, Brakefield, Carothers, Cheatwood, Daniels, Edwards, Gilmer, Grimsley, Grouby, Hall, Hammett, Hines, Holmes, Laird, Langford, Lewis, McKee, Naramore, Nevett, Owens, Parker, Ray, Reed, Seibels, Stewart, Ward, Whatley, Williams, Willis and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 59. Relating to the City of Scottsboro, Jackson County, Alabama; providing for an advisory referendum for the qualified electors to express whether the members of the city board of education shall be elected as herein provided; and providing for the election of such school board if approved in the referendum.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Mr. Speaker, Bedsole, Bennett, Cabaniss, Carothers, Crow, Edwards, Gilmer, Goodwin, Hall, Hammett, Harper (O), Harper (T), Hines, Laird, McKee, Moore, Naramore, Nevett, Owens, Parker, Penry, Ray, Reed, Seibels, Shavers, Smith (C), Stewart, Trammell, Ward, Whatley, Williams and Willis.

—33

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 78. To authorize the governing body of Macon County to impose a county license tax or fee on persons for the privilege of engaging in or following certain trades, occupations, or professions in such county, provided the levy is first approved at a referendum election held for such purpose; providing for the levy and collection of such licenses, for the enforcement thereof, and for the administration of this Act.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Mr. Speaker, Biddle, Clark (W), Daniels, Grimsley, Hall, Harper (O), Holmes, Johnson (R. G.), McKee, Moore, Rains, Reed, Seibels, Shoemaker, Stewart, Trammell, Williams, Willis and Zoghby.

—20

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 43. (With Substitute): To amend section 3 of Act 81-700 to exempt leases of public lands belonging to the state in amounts not exceeding \$2,000 from advertising and appraisal.

Was taken up.

The question was then on the adoption of the substitute offered by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 81-700, 1981 Regular Session, which act relates to certain procedures governing the sale or lease of certain public lands.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 81-700 of the 1981 Regular Session is hereby expressly repealed in its entirety and shall have no further force or effect of law.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Bennett, Buskey, Cabaniss, Carothers, Carter, Cates, Clark (W), Drinkard, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Jackson, Kennedy, Laird, Langford, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Penry, Rains, Ray, Reed, Roberts, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—58

And the bill, S. 43 as thus amended, was read a third time at length and passed.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Bedsole, Bennett, Boles, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Daniels, Dial, Drinkard, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Howard, Jackson, Kennedy, Langford, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Pegues, Penry, Ray, Reed, Riddick, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—72

Nay: Rep. Dial.

—1

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, S. 4, was lost, lacking a four-fifths vote.

Yeas 16; Nays 8.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Clark (G), Gafford, Goodwin, Howard, Langford, Lewis, Moore, Payne, Seibels, Trammell, Waggoner and Zoghby.

—16

Nays:

Reps. Escott, Horn, Jackson, Moore, Payne, Rains, Shavers and Tucker.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 6. To further amend Section 41-9-3 of the Code of Alabama 1975, relating to the Alabama State Council on the Arts and Humanities, so as to bring the employees of such Council under the provisions of the Merit System.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Amari, Bedsole, Bennett, Biddle, Cabaniss, Cheatwood, Clark (G), Clark (W), Edwards, Escott, Gafford, Goodwin, Grouby, Hammett, Harvey, Higginbotham, Hines, Holley, Holmes, Howard, Jackson, Kelley, Kennedy, Langford, Letson, Lewis, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Ray, Reed, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Trammell, Tucker, Venable, Waggoner, Warren, Willis and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 25. To amend Section 11-48-48, Code of Alabama 1975, which provides for the payment of municipal assessments for local improvements to property, so as to adjust interest rates with respect to the payment of said municipal improvement assessments, and to provide an effective date.

Was read a third time at length and passed.

Yeas 67; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Boles, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Crow, Daniels, Dial, Drinkard, Edwards, Ford, Gafford, Gilmer, Hall, Hammett, Harrison, Harvey, Higginbotham, Holmes, Johnson (Roy), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Olive, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Stewart, Trammell, Tucker, Turner, Turnham, Venable, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—67

Nays:

Reps. Albright, Cosby, Holley, Jackson, Johnson (R. G.) and Nevett.

—6

And the bill:

S. 41. To amend Section 2-7-31, Code of Alabama 1975, which relates to prizes and premium awards at agricultural fairs, so as to increase the maximum amount authorized to be paid to the members of the Special Awards Committee for Fairs for per diem and travel allowances.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Bedsole, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Drinkard, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harrison, Harvey, Holley, Holmes, Johnson (R. G.), Langford, Letson, Lewis, McMillan, Mitchell, Moore, Naramore, Nevett, Olive, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (J), Stewart, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—65

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Amari:

H. R. 78. CONGRATULATING THE 12 YEAR OLD ALL STARS OF THE HUFFMAN JUNIOR BASEBALL ASSOCIATION.

Also:

The following resolution was introduced:

By Rep. Amari:

H. J. R. 79. CONGRATULATING THE 12 YEAR OLD ALL STARS OF THE HUFFMAN JUNIOR BASEBALL ASSOCIATION.

WHEREAS, it is with utmost pleasure that the Alabama Legislature extends congratulations to the Huffman Junior Baseball Association 12 Year Old Boys All Star Baseball Team; and

WHEREAS, the 12 Year Old All Stars Boys Baseball Team won the Alabama Dixie Youth State Champions; and

WHEREAS, the team represented Alabama in Bartow, Florida in the 26th Annual Dixie Youth World Series on August 17 through 22, 1981; and

WHEREAS, the team's coaches are Mr. William Schuelly, Mr. Vic Grafeo and Mr. Ray Landers and they have done an outstanding job in their coaching of this fine team; and

WHEREAS, the team members are Phillip Lee Doyle, William Lee Garner, Grey Turner Gilbert, Michael Allen Sides, Martin Luther Gordon, Jeoffrey Massey, Jeoffrey Thomason, Victor Graffeo, Jr., James Allen Bennett, Michael Schuelly, Joe Scott Greene, William Craig Jemison, Peter Charles Gustafson, Shannon Roy Jackson and Dell Scott Maribut.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate and commend the 12 Year Old All Star Boys Baseball Team of the Huffman Junior Baseball Association, their coaches and supporters, and direct that the team and the coaches each receive a copy of this resolution tendered in high praise and in token of our warm personal regards.

On motion of Rep. Amari, the rules were suspended and the resolution, H. J. R. 79, was adopted.

SPECIAL ORDER RESUMED

And the bill:

S. 81. To amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in excess of the rate of interest provided by statute shall be deposited in the general fund.

Was read a third time at length and passed.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (W), Cobb, Cooley, Crow, Daniels, Dial, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Holmes, Howard, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, Lewis, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Parker, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (J), Stewart, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—76

Nay: Rep. Cosby.

—1

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 77, without his signature and approval and with suggested Executive Amendments.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 18th day of August, 1981.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 77 without my signature and approval and with the following suggested Executive Amendments.

Amend House Bill 77 on page 20 after line 29 by inserting the following:

"In addition, there is hereby appropriated, conditioned on the availability of funds and the approval of the governor, the sum of sixty-one dollars and eighty cents (\$61.80) per annum, per teacher, administrative supervisory unit, full-time support employee, and adult school bus driver, provided that no more than \$61.80 shall be appropriated per person for a total of \$3,720,298."

Amend House Bill 77 on page 35, subsection 5-I-A-10, line 18 in the subsection entitled "Board of Trustees University of Alabama" by striking it in its entirety and renumbering the subsequent line items accordingly.

Further amend on page 35, section 5-I-A-6, line 12 by striking the figures "\$1,104,000" and "\$2,182,598" and inserting in lieu thereof the following: "\$1,466,000" and "\$2,544,598" respectively.

Further amend House Bill 77 on page 34, subsection 5-I-A-1, line 30 in the subsection entitled "Board of Trustees University of Alabama" by striking the figures "\$32,814,276" and "\$66,858,676" and inserting in lieu thereof the following: "\$33,027,625" and "\$67,072,025" respectively.

Further amend House Bill 77 on page 35, section 5-I-B-2, line 33 in the subsection entitled "University of Alabama in Birmingham" by striking the figures "\$2,430,087" and "\$4,630,320" and inserting in lieu thereof the following: "\$2,230,087" and "\$4,430,320" respectively.

Further amend House Bill 77 on page 35, section 5-I-B-3, subsection entitled "University of Alabama in Birmingham" by striking the figures "\$2,059,141" and "\$2,507,732" and inserting in lieu thereof the following: "\$1,859,141" and "\$2,307,732" respectively.

Further amend on page 36, section 5-I-B-7, line 9 in the subsection entitled "University of Alabama in Birmingham" by striking the figures

"\$3,437,581" and "\$6,107,767" and inserting in lieu thereof the following: "\$3,237,581" and "\$5,907,767" respectively.

Further amend on page 36, section 5-I-B-10, line 14 in the subsection entitled "University of Alabama in Birmingham" by striking the figures "\$16,124,859" and "\$67,712,857" and inserting in lieu thereof the following: "\$16,724,859" and "\$68,312,857" respectively.

The Adoption of the above and foregoing suggested Executive Amendments will remove my objections to this Bill.

Respectfully,
FOB JAMES.

GOVERNOR'S MESSAGE

On motion of Rep. Owens, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 77, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 78; Nays 21.

Yeas:

Reps. Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Drinkard, Edwards, Escott, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McMillan, Minus, Mitchell, Naramore, Nevett, Owens, Parker, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, Whatley, Williams and Wyatt.

—78

Nays:

Mr. Speaker, Bedsole, Biddle, Cabaniss, Campbell, Clark (G), Cosby, Dial, Gafford, Gilmer, Hines, Manley, Moore, Olive, Pegues, Sandusky, Shoemaker, Smith (M), Ward, Willis and Zoghby.

—21

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Owens, the rules were suspended for passage of the bill, H. 77 with Executive amendment.

Yeas 98; Nays 2.

Yeas:

Reps. Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard,

Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—98

Nays: Reps. Cosby and Smith (M).

—2

And the bill:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 96; Nays 4.

Yeas:

Reps. Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—96

Nays: Reps. Albright, Cosby, Holmes and Smith (M).

—4

LEAVE OF ABSENCE

At the request of Rep. McKee, leave of absence was granted for Rep. Dixon.

RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Waggoner:

H. R. 80. CONGRATULATING REPRESENTATIVE JACK BIDDLE III ON BEING NAMED CONSERVATIONIST OF THE YEAR.

Also:

By Rep. Reed:

H. R. 81. HONORING MRS. J. VIRGINIA MORGAN KNIGHT, PROMINENT AND LONGTIME ALABAMA EDUCATOR.

Also:

The following resolutions were introduced:

By Rep. Daniels:

H. J. R. 82. REPEALING ACT NO. 81-255, H. J. R. 213, 1981 REGULAR SESSION, ENTITLED, "HOUSE JOINT RESOLUTION REQUESTING THE ALABAMA DEPARTMENT OF PUBLIC HEALTH TO SUSPEND ENFORCEMENT AND DELAY THE IMPLEMENTATION OF THE DEPARTMENT'S NEW REGULATIONS CONCERNING ONSITE SEWAGE DISPOSAL SYSTEMS."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 81-255, H. J. R. 213, 1981 Regular Session, entitled, "House Joint Resolution requesting the Alabama Department of Public Health to suspend enforcement and delay the implementation of the Department's new regulations concerning onsite sewage disposal systems," is hereby repealed.

On motion of Rep. Daniels, the rules were suspended and the resolution, H. J. R. 82, was adopted.

Also:

By Reps. Holmes, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. R. 83. COMMENDING SPEAKER JOE MCCORQUODALE FOR THE IMPARTIALITY OF HIS CURRENT INTERIM COMMITTEE ASSIGNMENTS.

WHEREAS, in assigning House members to current interim committees, Speaker Joe McCorquodale has shown utmost impartiality with the vast majority of the members receiving appointment to one or more committees; and

WHEREAS, a study of the assignments also reveals that committee designations were made according to each member's experience, background and knowledge of the particular problem and issues of the committee; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we most highly commend the Honorable Joe McCorquodale for his fair and impartial approach in making the current interim committee assignments.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. R. 83, was adopted.

RECESS

On motion of Rep. Hammett, the House recessed until 9:00 o'clock p.m.

HOUSE RECONVENED

The hour of 9:00 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

H. R. 43 TAKEN UP

The resolution, H. R. 43 which was temporarily postponed on the sixth legislative day, was taken up.

MOTION TO POSTPONE LOST

The motion offered by Rep. Harrison to temporarily postpone further consideration of the resolution, H. R. 43, was lost.

Yeas 13; Nays 15.

Yeas:

Reps. Barton, Boles, Cabaniss, Escott, Grimsley, Grouby, Harrison, Howard, Johnson (Roy), McKee, Owens, Sasser and Willis.

—13

Nays:

Reps. Amari, Bennett, Biddle, Clark (G), Cobb, Crow, Dial, Gilmer, Johnson (R. G.), Lewis, Manley, Minus, Pegues, Shoemaker and Starkey.

—15

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. Pegues, offered the motion to reconsider the vote by which the motion to temporarily postpone consideration of the resolution, H. R. 43, was lost, and the motion to reconsider was adopted.

Yeas 33; Nays 11.

Yeas:

Reps. Adams (C), Barton, Boles, Cabaniss, Carothers, Cheatwood, Clark (G), Cosby, Dial, Escott, Grimsley, Grouby, Harrison, Holley, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Laird, McKee, Manley, Minus, Olive, Owens, Pegues, Sasser, Shoemaker, Trammell, Whatley, Williams and Willis.

—33

Nays:

Reps. Amari, Biddle, Cobb, Crow, Gilmer, Holmes, Langford, Lewis, Starkey, Waggoner and Wyatt.

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. R. 43 TEMPORARILY POSTPONED

On motion of Rep. Bennett, further consideration of the resolution, H. R. 43, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 43. To repeal Act No. 81-700, 1981 Regular Session, which act relates to certain procedures governing the sale or lease of certain public lands.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 82. REPEALING ACT NO. 81-255, H. J. R. 213, 1981 REGULAR SESSION, ENTITLED, "HOUSE JOINT RESOLUTION REQUESTING THE ALABAMA DEPARTMENT OF PUBLIC HEALTH TO SUSPEND ENFORCEMENT AND DELAY THE IMPLEMENTATION OF THE DEPARTMENT'S NEW REGULATIONS CONCERNING ONSITE SEWAGE DISPOSAL SYSTEMS."

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Jackson, Horn, Tucker and Harrison:

H. R. 84. HONORING MR. JAMES E. PETTUS, PROMINENT BIRMINGHAM COACH AND EDUCATOR.

BILLS POSTPONED

On motion of Rep. Manley, all House Bills pending on the Calendar, were indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 22. To provide further for estates and the rights of spouses therein; to provide further for descent and distribution in the cases of intestacy; to amend Sections 43-3-1, as amended, and 43-3-10, Code of Alabama 1975, which provide for the descent and distribution of real estate and personalty, respectively, of an intestate, so as to provide further therefor; to repeal Section 43-3-12, Code of Alabama 1975, which relates to the husband's distinctive share of his wife's estate.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

by a majority of the whole number elected to the Senate, said vote being Yeas 33, Nays 0.

And said Bill, H. B. 77, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 32, Nays 2.

And said Bill, H. B. 77, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 13. Proposing an amendment to the Constitution of Alabama relating to the prohibition of legal action by employees covered under workmen's compensation laws against co-employees; and defining co-employees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

MOTION TO POSTPONE TABLED

On motion of Rep. Roberts, the motion offered by Rep. Jackson, to postpone consideration of the bill, H. 13 with Senate amendment, until 11:15 o'clock p.m., was tabled.

Yeas 66; Nays 27.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Blake, Boles, Bowling, Cabaniss, Carothers, Carter, Cates, Cobb, Cosby, Daniels, Dial, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—66

Nays:

Reps. Albright, Amari, Barton, Brakefield, Buskey, Campbell, Cheatwood, Clark (G), Coburn, Cooley, Crow, Escott, Hall, Harrison, Higginbotham, Holmes, Horn, Howard, Jackson, Kelley, Langford, Manley, Moore, Reed, Smith (M), Turner and Wyatt.

—27

MOTION TO TABLE LOST

On motion of Rep. Roberts, the motion offered by Rep. Cooley that the House non-concur in the Senate amendment to the bill, H. 13, and request a Committee on Conference be appointed to reconcile the differences between the two Houses, was tabled, said Senate amendment being as follows:

On page 2, line 37, delete all the language and insert in lieu thereof:

Section 3. An election upon this proposed amendment shall be held on the date of the first primary, general or special election held after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

On page 3, delete all the language on lines 5 through 10.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to the prohibition of legal action by employees covered under workmen's compensation laws against co-employees; and defining co-employees.

Be It Enacted by the Legislature of Alabama:

Section 1. The following legislative history of this act is provided:

By the decision of the Alabama Supreme Court, in the case of Grantham V. Denke and other cases, the Alabama Supreme Court, permitted personal injury actions against fellow employees or co-employees for personal injury arising out of and in the course of employment. It is the purpose of this bill to overrule those decisions and to forbid further and future actions by employees or their personal representatives or dependents against co-employees.

Section 2. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation of the Governor:

PROPOSED AMENDMENT

Legal action by an employee or an employee's representative or dependent covered under the Workmen's Compensation Laws of this state against a co-employee of the same employee for personal injury, disease or death arising out of and in the course of employment is prohibited. A co-employee is defined to include an officer, director, agent, servant, employee of the same employer, the personal representative of such person, the union or union agent representing such diseased, injured or killed person, any workmen's compensation insurance carrier of the employer, any self-insured workmen's compensation fund, and any officer, director, agent, servant or employee of such carrier or self-insured workmen's compensation fund, and in addition a person or persons making safety inspections for the benefit of the employer or its employees.

Section 3. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama, 1975.

Section 4. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the date appointed for the election in a newspaper in each county of the state. If a newspaper is not published in the county, a copy of the notice shall be posted at the Courthouse and in three other places in the county.

Yeas 62; Nays 36.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Biddle, Blake, Boles, Cabaniss, Carothers, Carter, Cates, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Horn, Johnson (R. G.), Johnson (Roy), Laird, Letson, McMillan, Minus, Mitchell, Olive, Owens, Parker, Payne, Pegues, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—62

Nays:

Reps. Albright, Amari, Barton, Bowling, Brakefield, Buskey, Campbell, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow,

Gilmer, Hall, Harrison, Higginbotham, Holmes, Howard, Jackson, Langford, McKee, Manley, Moore, Naramore, Penry, Rains, Reed, Shoemaker, Smith (M), Trammell, Tucker, Turner and Wyatt.

—36

The question was on the motion offered by Rep. Roberts that the House concur in and adopt the Senate amendment to the bill, H. 13, and the motion was adopted.

Yeas 65; Nays 31.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Biddle, Blake, Boles, Cabaniss, Carothers, Carter, Cates, Cosby, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Horn, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McMillan, Olive, Owens, Parker, Payne, Pegues, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—65

Nays:

Reps. Albright, Barton, Bowling, Brakefield, Buskey, Campbell, Cheatwood, Cobb, Coburn, Cooley, Crow, Hall, Harrison, Higginbotham, Holmes, Howard, Jackson, Kennedy, Langford, McKee, Manley, Minus, Moore, Naramore, Penry, Rains, Reed, Shoemaker, Smith (M), Tucker and Turner.

—31

And the bill, H. 13 as thus amended, was again read at length and passed.

Yeas 73; Nays 23.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Bennett, Biddle, Blake, Boles, Cabaniss, Carothers, Carter, Cates, Cobb, Cosby, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Horn, Johnson (R. G.), Johnson (Roy), Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—73

Nays:

Reps. Albright, Barton, Bowling, Brakefield, Buskey, Cheatwood, Clark (G), Clark (W), Cooley, Crow, Hall, Harrison, Higginbotham, Holmes, Howard, Jackson, Langford, Naramore, Rains, Reed, Shoemaker, Tucker and Turner.

—23

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 6. To further amend Section 41-9-3 of the Code of Alabama 1975, relating to the Alabama State Council on the Arts and Humanities, so as to bring the employees of such Council under the provisions of the Merit System.

Also:

S. 25. To amend Section 11-48-48, Code of Alabama 1975, which provides for the payment of municipal assessments for local improvements to property, so as to adjust interest rates with respect to the payment of said municipal improvement assessments, and to provide an effective date.

Also:

S. 41. To amend Section 2-7-31, Code of Alabama 1975, which relates to prizes and premium awards at agricultural fairs, so as to increase the maximum amount authorized to be paid to the members of the Special Awards Committee for Fairs for per diem and travel allowances.

Also:

S. 59. Relating to the City of Scottsboro, Jackson County, Alabama; providing for an advisory referendum for the qualified electors to express whether the members of the city board of education shall be elected as herein provided; and providing for the election of such school board if approved in the referendum.

Also:

S. 78. To authorize the governing body of Macon County to impose a county license tax or fee on persons for the privilege of engaging in or following certain trades, occupations, or professions in such county, provided the levy is first approved at a referendum election held for such purpose; providing for the levy and collection of such licenses, for the enforcement thereof, and for the administration of this Act.

Also:

S. 81. To amend Act No. 81-258, Acts of Alabama, Regular Session 1981, so as to repeal Section 2 of the Act which provides that sums collected in excess of the rate of interest provided by statute shall be deposited in the general fund.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 43. To repeal Act No. 81-700, 1981 Regular Session, which act relates to certain procedures governing the sale or lease of certain public lands.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 69. EXPRESSING APPRECIATION OF THE LEGISLATURE TO THE CHARLES HENDERSON HIGH SCHOOL BAND.

Also:

H. J. R. 76. HONORING MRS ELIZABETH WOMACK McDONALD FOR HER LONGTIME DEDICATED SERVICE TO COFFEE HIGH SCHOOL, FLORENCE, ALABAMA.

Also:

H. J. R. 79. CONGRATULATING THE 12 YEAR OLD ALL STARS OF THE HUFFMAN JUNIOR BASEBALL ASSOCIATION.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 9. To authorize the administration of the Gadsden State Junior College to use any proceeds of bonds issued as authorized by Act No. 138, S. 1, Second Special Session 1978 (Acts 1978, p. 1875), for the purpose of payment or retirement of any outstanding legal indebtedness.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Rep. Howard that the House adjourn sine die, was lost.

Yeas 16; Nays 71.

Yeas:

Reps.: Albright, Barton, Brakefield, Cheatwood, Clark (G), Coburn, Cooley, Hall, Holmes, Howard, Jackson, Langford, Penry, Rains, Reed and Turner.

—16

Nays:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Bennett, Blake, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cobb, Cosby, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Horn, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, McKee, McMillan, Mitchell, Naramore, Olive, Owens, Parker, Payne, Pegues, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—71

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 77. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

And finds same correctly enrolled with Executive Amendment.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Bailey and Miller:

S. J. R. 54. HONORING MR. HERMAN T. CULPEPPER UPON HIS RETIREMENT AS EXECUTIVE DIRECTOR OF WIREGRASS MENTAL HEALTH CENTER, DOTHAN, ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Gafford, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 54, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 82. REPEALING ACT NO. 81-255, H. J. R. 213, 1981 REGULAR SESSION, ENTITLED, "HOUSE JOINT RESOLUTION REQUESTING THE ALABAMA DEPARTMENT OF PUBLIC HEALTH TO SUSPEND ENFORCEMENT AND DELAY THE IMPLEMENTATION OF THE DEPARTMENT'S NEW REGULATIONS CONCERNING ONSITE SEWAGE DISPOSAL SYSTEMS."

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 22. To provide further for estates and the rights of spouses therein; to provide further for descent and distribution in the cases of intestacy; to amend Sections 43-3-1, as amended, and 43-3-10, Code of Alabama 1975, which provide for the descent and distribution of real estate and personalty, respectively, of an intestate, so as to provide further therefor, to repeal Section 43-3-12, Code of Alabama 1975, which relates to the husband's distributive share of the wife's estate.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

S. 34. (With Substitute): To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1982.

Was taken up.

S. 34 INDEFINITELY POSTPONED

On motion of Rep. Owens, the bill, S. 34 with pending substitute, was indefinitely postponed.

And the bill:

S. 23. Providing that the State of Alabama Highway Department must have the approval of the state building commission before selling or purchasing any state land except for such land purchased through eminent domain.

Was taken up.

S. 23 INDEFINITELY POSTPONED

On motion of Rep. Holley, the bill, S. 23, was indefinitely postponed.

And the bill:

S. 19. Proposing an amendment to the Constitution of Alabama of 1901 providing for withholding of salaries and expense allowances of certain elected and appointed public officials indicted for felonious offenses pending a determination of their guilt or innocence and providing for forfeiture of such compensation if found guilty and for recoupment of such compensation if found innocent.

Was taken up.

S. 19 INDEFINITELY POSTPONED

On motion of Rep. Biddle, the bill, S. 19, was indefinitely postponed.

And the bill:

S. 12. To amend Section 16-11-3 of the Code of Alabama 1975 relating to the appointment of members of the board of education by the municipal governing body, so as to provide that by local law the legislature may provide that such members may be elected by the qualified voters as prescribed by such local law.

Was taken up.

MOTION TO INDEFINITELY POSTPONE

Rep. Gafford offered the motion to indefinitely postpone the bill, S. 12.

SUBSTITUTE MOTION OFFERED

Rep. Johnson (Roy) offered the substitute motion that the House pass the bill, S. 12.

SUBSTITUTE MOTION TO SUBSTITUTE MOTION OFFERED

Rep. Manley offered the substitute motion to the substitute motion offered by Rep. Johnson (Roy), to temporarily postpone consideration of the bill, S. 12.

MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy) to table the substitute motion offered by Rep. Manley, was lost.

Yeas 3; Nays 63.

Yeas: Reps.: Holley, Johnson (Roy) and Trammell.

—3

Nays:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Coburn, Cosby, Dial, Drinkard, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (T), Harvey, Higginbotham, Hines, Jackson, Johnson (R. G.), Laird, Langford, Lewis, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Rains, Ray, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Tucker, Turnham, Venable, Waggoner, Ward, Williams, Wyatt and Zoghby.

—63

S. 12 TEMPORARILY POSTPONED

The question was then on the substitute motion offered by Rep. Manley to the substitute motion offered by Rep. Johnson (Roy), to temporarily postpone consideration of the bill, S. 12, and the substitute motion offered by Rep. Manley was adopted.

And the bill:

S. 4. To supplement the salaries of the Circuit Judges of the Tenth Judicial Circuit.

Was taken up.

MOTION TO POSTPONE TABLED

On motion of Rep. Gafford, the motion offered by Rep. Tucker to temporarily postpone consideration of the bill, S. 4, was tabled.

Yeas 11; Nays 4.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Gafford, Lewis, Moore, Payne, Trammell, Waggoner and Willis.

—11

Nays: Reps.: Escott, Harrison, Olive and Shavers.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Tucker offered the following amendment to the bill, S. 4:

In Section 2, delete lines 32 and 33 and insert in lieu thereof the language:

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AMENDMENT TABLED

On motion of Rep. Waggoner, the amendment offered by Rep. Tucker to the bill, S. 4, was tabled.

Yeas 11; Nays 8.

Yeas:

Reps.: Amari, Bennett, Biddle, Cabaniss, Gafford, Lewis, McKee, Moore, Payne, Trammell and Waggoner.

—11

Nays:

Reps.: Cheatwood, Escott, Horn, Howard, Jackson, Olive, Seibels and Tucker.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO ADJOURN LOST

The motion offered by Rep. Tucker that the House adjourn sine die, was lost.

Yeas 15; Nays 38.

Yeas:

Reps.: Buskey, Escott, Harrison, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kennedy, Olive, Rains, Reed, Tucker, Whatley and Wyatt.

—15

Nays:

Mr. Speaker, Adams (C), Adams (H), Amari, Bennett, Biddle, Cabaniss, Campbell, Carothers, Carter, Cosby, Dial, Edwards, Gafford, Gilmer, Grimsley, Grouby, Letson, Lewis, McKee, McMillan, Minus, Moore, Naramore, Payne, Pegues, Roberts, Seibels, Shoemaker, Smith (M), Stewart, Stout, Trammell, Turnham, Waggoner, Ward, Williams and Zoghby.

—38

S. 4 RESUMED

MOTION FOR PREVIOUS QUESTION LOST

The motion offered by Rep. Waggoner, shall the main question now be put, was lost.

Yeas 10; Nays 11.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Gafford, Goodwin, Lewis, Moore, Payne and Waggoner.

—10

Nays:

Reps.: Buskey, Cheatwood, Escott, Harrison, Horn, Howard, Jackson, Johnson (Roy), Olive, Seibels and Tucker.

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 71. COMMENDING MR. ROBERT HENRY OF AUBURN, ALABAMA, NATIONALLY PROMINENT HUMORIST AND THE RECIPIENT OF RECENT HIGH HONORS.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Rep. Howard that the House adjourn sine die, was lost.

Yeas 16; Nays 37.

Yeas:

Reps.: Buskey, Cheatwood, Clark (W), Escott, Harrison, Holley, Horn, Howard, Johnson (Roy), Kennedy, Laird, Lewis, Olive, Seibels, Tucker and Whatley.

—16

Nays:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Carothers, Carter, Cosby, Gafford, Grimsley, Grouby, Harper (T), Letson, McKee, McMillan, Manley, Minus, Moore, Naramore,

FIRST EXTRAORDINARY SESSION
7th Day

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Owens, Payne, Pegues, Roberts, Sandusky, Smith (C), Smith (J), Smith (M), Stewart, Trammell, Turnham, Waggoner, Williams and Zoghby.

—37

MOTION TO ADJOURN LOST

The motion offered by Rep. Tucker that the House adjourn sine die, was lost.

Yeas 19; Nays 31.

Yeas:

Reps.: Buskey, Clark (W), Escott, Harrison, Holley, Horn, Howard, Jackson, Johnson (Roy), Kennedy, Laird, Langford, Lewis, Olive, Parker, Reed, Seibels, Tucker and Whatley.

—19

Nays:

Mr. Speaker, Adams (C), Amari, Bedsole, Bennett, Biddle, Cabaniss, Carothers, Carter, Cosby, Gafford, Gilmer, Grimsley, Grouby, Harper (T), Letson, McKee, McMillan, Minus, Moore, Naramore, Owens, Payne, Roberts, Smith (J), Smith (M), Trammell, Turnham, Waggoner, Williams and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Johnson (Roy) to suspend the rules in order to approve the Journal of the House for the seventh legislative day, was lost.

S. 4 RESUMED

Rep. Gafford offered the motion to vote passage of the bill, S. 4, at 10:30 o'clock p.m.

MOTION TO TABLE LOST

The motion offered by Rep. Tucker to table the motion offered by Rep. Gafford, was lost.

Yeas 6; Nays 12.

Yeas: Reps. Escott, Harrison, Horn, Olive, Seibels and Tucker.

—6

Nays:

Reps.: Amari, Bennett, Biddle, Cabaniss, Gafford, Gilmer, Lewis, Moore, Payne, Smith (M), Trammell and Waggoner.

—12

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the motion offered by Rep. Gafford to vote on passage of the bill, S. 4, at 10:30 o'clock p.m., and the motion was adopted.

Yeas 11; Nays 6.

Yeas:

Reps.: Amari, Bennett, Biddle, Cabaniss, Gafford, Gilmer, Lewis, Moore, Payne, Trammell and Waggoner.

—11

Nays: Reps.: Boles, Gafford, Gilmer, Lewis, Moore and Payne.

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 9. To authorize the administration of the Gadsden State Junior College to use any proceeds of bonds issued as authorized by Act No. 138, S. 1, Second Special Session 1978 (Acts 1978, p. 1875), for the purpose of payment or retirement of any outstanding legal indebtedness.

Also:

H. J. R. 69. EXPRESSING APPRECIATION OF THE LEGISLATURE TO THE CHARLES HENDERSON HIGH SCHOOL BAND.

Also:

H. J. R. 76. HONORING MRS. ELIZABETH WOMACK McDONALD FOR HER LONGTIME DEDICATED SERVICE TO COFFEE HIGH SCHOOL, FLORENCE, ALABAMA.

Also:

H. J. R. 79. CONGRATULATING THE 12 YEAR OLD ALL STARS OF THE HUFFMAN JUNIOR BASEBALL ASSOCIATION.

Also:

H. 13. Proposing an amendment to the Constitution of Alabama relating to the prohibition of legal action by employees covered under workmen's compensation laws against co-employees; and defining co-employees.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 71. COMMENDING MR. ROBERT HENRY OF AUBURN, ALABAMA, NATIONALLY PROMINENT HUMORIST AND THE RECIPIENT OF RECENT HIGH HONORS.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

S. 4 RESUMED

And the bill, S. 4, was read a third time at length and passed.

Yeas 12; Nays 7.

Yeas:

Reps.: Amari, Bennett, Biddle, Cabaniss, Cobb, Gafford, Lewis, Moore, Payne, Seibels, Trammell and Waggoner.

—12

Nays:

Reps.: Escott, Harrison, Horn, Howard, Jackson, Olive and Tucker. —7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the seventh legislative day was dispensed with the the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

H. R. 43 TAKEN UP

The resolution, H. R. 43 which previously was temporarily postponed, was taken up:

H. R. 43. URGING VARIANCE FOR WTTO-TV.

MOTION TO ADOPT LOST

The motion offered by Rep. Bennett to adopt the resolution, H. R. 43, was lost.

Yeas 5; Nays 16

Yeas: Reps.: Bennett, Drinkard, Lewis, Payne and Turnham.

—5

Nays:

Reps.: Brakefield, Carothers, Grimsley, Grouby, Holley, Johnson (R. G.), Johnson (Roy), McKee, Minus, Owens, Rains, Sasser, Seibels, Stout, Warren and Whatley.

—16

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

INFORMAL RECESS

On motion of Rep. Manley, the House stood in informal recess at the call of the Chair.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 67. RELATIVE TO SINE DIE ADJOURNMENT.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolution, your signature thereto is requested:

S. 4. To supplement the salaries of the Circuit Judges of the Tenth Judicial Circuit.

Also:

S. J. R. 54. HONORING MR. HERMAN T. CULPEPPER UPON HIS RETIREMENT AS EXECUTIVE DIRECTOR OF WIREGRASS MENTAL HEALTH CENTER, DOTHAN, ALABAMA.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 67. Relative to sine die adjournment.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 5:10 P.M. on August 18, 1981.

H. 77

H. 108

Delivered to the Governor at 10:05 P.M. on August 18, 1981.

H. 77 (Executive Amendment)

H. J. R. 82

H. 22

Delivered to the Governor at 10:40 P.M. on August 18, 1981.

H. 9

H. J. R. 69

H. J. R. 76

H. J. R. 79

H. J. R. 71

Delivered to the Secretary of State at 10:40 P.M. on August 18, 1981.

H. 13 (Constitutional Amendment)

Delivered to the Governor at 10:55 P.M. on August 18, 1981.

H. J. R. 67

JOHN W. PEMBERTON,
Clerk.

HOUSE OF REPRESENTATIVES

LOBBYIST REGISTRATION

EXTRAORDINARY SESSION 1981

NAME	PRINCIPAL
Dan C. Alexander, Jr.	Taxpayer's Education Lobby
Doug Amos	Alabama League of Savings Association
C. E. Avinger	Alabama Bankers Association
George F. Bailey, Jr.	Alabama Railroad Association
Eugene A. Baril	General Telephone Company of the Southeast
C. W. Bates	United States Pipe and Foundry Co. Jim Walter Resources
Joseph P. Bethea	Chevron U.S.A., Inc. Standard Oil Co.

Wiley R. Boyles	Auburn University at Montgomery
D. H. (Jack) Brewer, Jr.	Olin Chemicals
Joe Brindley	University of Montevallo
David C. Brown	University of North Alabama
A. A. Burks	Alabama A & M University
Debra H. Buss	Alabama Association of School Boards
John P. Carlton	City of Birmingham
Martin William Christic	Jim Walter Corporation U. S. Pipe and Foundry
William J. Cobb	South Central Bell
R. J. Cunningham	Alabama Association of Life Under- writers Alabama Hotel/Motel Association Alabama Travel Council Professional Insurance Agents Association of Alabama Alabama Crushed Stone Association Alabama Surface Mining Environmental Association Telepage Alabama Automatic Merchandising Council
James Rudolph Davidson	University of Alabama in Birmingham
Kendall P. Dexter	MacMillan Bloedel, Inc.
Jeffery Blane Dolbare	Alabama Association of Classified School Employees
Jack F. Douglas	Alabama Citizens Action Program
Michael E. Eader	Alabama Association of School Boards
Sam Engelhardt	Alabama Power Company
Francis S. Falkenburg	Direct Oil Corporation Office Prosecution Services
Robert Finley	Alabama Department of Public Health
William Albert Fridlin	National Federation of Independent Business
Clarence Frost	AFL-CIO
Donald J. Gibson	Troy State University
William L. Green	Alabama By-Products Corporation
D. N. Hamilton	Alabama League of Municipalities Am Rec Insurance Association Jim Walter Corporation South Alabama State Fair Association

James Taylor Hardin	Central Bankshares of the South 3M Corporation
Charles R. Hartsell	Blue Cross/Blue Shield of Alabama
John H. Hawkins, Jr.	Alabama Power Company
David Horton	University of South Alabama
Clyde Emile Jones	A.E.A.
Edwin K. Livingston	Alabama Tax Assessors & Collectors
Douglas M. McBee	Fraternal Order of Police
Charles McDonald	Alabama Retail Association
Tom McGregor	Alabama Gas Corporation
Ronald A. McGuffie	Alabama Brotherhood of Law Enforcement Officers
Richard Carlos McMinn, Jr.	F.O.P. Lodge 64
Jeffery D. Masters	Associated Builders & Contractors, Inc.
Pete Mathews	Alabama Retail Association
Dan Meissner	West Alabama EMS, Inc.
William E. Mintz	Alabama Labor Council, AFL-CIO
Katherine B. Newman	A.E.A.
Bill O'Connor	Alabama Press Association
Jerry A. Powell, Jr.	Alabama Nursing Home Association
Nanette Pregno	United Transportation Union
E. Clark Richardson	Alabama Power Company
Randy Roark	Municipal Electric Utility Associa- tion
W. Eric Rodawig	Household Finance Corporation
William L. Roper	Alabama Department of Public Health
Perry Crawford Roquemore, Jr.	Alabama League of Municipalities
R. Otis Russell	Alabama Concrete Industries Assoc.
Walter Clifford Smith, II	Alabama Chamber of Commerce
Reginald Lee Sorrells	Association of County Commissioners of Alabama
Jerry W. Spencer	Modern Banking Association of Alabmaa
Ronald Lee Spratt	City of Birmingham Self
Frank Thiemonge, Jr.	Alabama Safety Council, Inc.
Kenneth Underwood	South Central Bell

Margaret Bonds Wares	Handicapped Children & Adults
Don F. Wasson	Alabama Mining Institute
John F. Watkins	Alabama League of Municipalities
Barney Weeks	Alabama Labor Council, ALF-CIO
R. Bates Wilson	Jim Walter Corporation U.S. Pipe and Foundry
Robert T. Wilkes	Blue Cross
Troy Word	URW Local No. 12

ADJOURNMENT

On motion of Rep. Manley and pursuant to the resolution, H. J. R. 67, heretofore adopted, the House adjourned sine die at 10:52; o'clock p. m., Tuesday, August 18, 1981.

JOHN W. PEMBERTON
Clerk of the House of Representatives
of the Legislature of Alabama,
Extraordinary Session, 1981.

HOUSE OF REPRESENTATIVES
FIRST EXTRAORDINARY SESSION, 1981
ALPHABETICAL ROSTER AND DISTRICT NUMBER

Charles H. Adams, 66	Roy W. Johnson, Jr., 47
H. H. "Bill" Adams, 30	Phillip "Phil" B. Kelley, 26
Robert E. Albright, 20	Yvonne Kennedy, 103
John E. Amari, 34	Richard Laird, 61
Park Barton, 46	Charles D. Langford, 77
Ann Bedsole, 101	S. R. "Sam" Letson, 7
Jim Bennett, 37	M. Duane Lewis, 50
Jack Biddle, III, 35	Joe C. McCorquodale, Jr., 92
A. J. Blake, 56	Bob McKee, 79
Hugh Boles, 42	Stephen A. McMillan, 95
William C. "Bill" Bowling, 11	Richard S. "Rick" Manley, 87
Carl C. Brakefield, 12	Preston "Mann" Minus, Jr., 90
James E. Buskey, 99	Earl Mitchell, 89
W. J. "Bill" Cabaniss, Jr., 31	Sonny Moore, Jr., 52
James M. Campbell, 59	Alvis Naramore, 13
Joe R. Carothers, Jr., 71	C. Howard Nevett, 41
Tommy Carter, 16	J. Fred Olive, II, 40
Eric O. Cates, Jr., 84	Walter Owens, 48
Earl Cheatwood, 14	V. M. Parker, 97
George N. Clark, 88	Robert Elliott "Bob" Patton, 8
William Clark, 98	Arthur Payne, 15
Wayne Cobb, 5	Leigh Pegues, 86
Tom C. Coburn, 3	Walter E. Penry, Jr., 94
Steve Cooley, 10	T. Euclid Rains, Sr., 25
W. F. "Noopie" Cosby, Jr., 85	James E. Ray, 68
Bobby C. Crow, 58	Thomas Reed, 67
Gene Daniels, 73	Frank Riddick, 18
Gerald O. Dial, 60	Tommy Ed Roberts, 9
Larry D. Dixon, 81	J. Thomas Sandusky, 100
Bill Drinkard, 29	James G. Sasser, 69
William D. Edwards, 83	George Seibels, 32
Sundra E. Escott, 45	Cecil Shavers, 23
Joe M. Ford, 28	Wallace Shoemaker, 55
Robert C. "Bob" Gafford, 33	Curtis Smith, 53
Charles T. Gilmer, 6	James P. Smith, 17
J. W. "Joe" Goodwin, 4	Martha Jo Smith, 21
Richard Gregg, 19	Nelson R. Starkey, Jr., 2
George H. Grimsley, 70	George Stewart, 104
E. A. Grouby, Jr., 82	J. David Stout, 24
Albert Hall, 22	Hoyt W. Trammell, 36
Seth Hammett, 75	Jerome Tucker, 43
Owen Harper, 62	J. E. Turner, 96
Taylor F. Harper, 105	Pete Turnham, 63
A. L. "Tony" Harrison, 44	Jack B. Venable, 76
Bob Harvey, 27	J. T. "Jabo" Waggoner, Jr., 51
John E. Higginbotham, 1	Shelby Dean Ward, 64
L. Brooks Hines, 91	J. E. "Jimmy" Warren, 93
Jimmy W. Holley, 74	Charles W. Whatley, 65
Alvin Holmes, 80	R. Nolan Williams, 72
William Fred Horn, 39	Gerald Willis, 57
Asbury Howard, 49	Cecil Wyatt, 78
Ronald E. Jackson, 38	Mary S. Zoghby, 102
Ronald G. Johnson, 54	

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA**

FIRST EXTRAORDINARY SESSION

OFFICERS

JOE C. McCORQUODALE, JR., *Speaker*, Jackson

RICHARD S. (RICK) MANLEY
Speaker Pro-Tem, Demopolis

JOHN W. PEMBERTON, *Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	John E. Higginbotham	Rt. 11, Box 158, Florence 35630
2	LAUDERDALE	Nelson R. Starkey, Jr.	158 Cedarcrest Drive, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN	Tom Coburn	1107 E. Third St., Tuscumbia 35674
4	COLBERT, FRANKLIN	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35660
5	FRANKLIN, MARION	Wayne Cobb	Rt. 4, Hamilton 35570
6	LAMAR, MARION, FAYETTE	Charles T. Gilmer	P. O. Box 665, Vernon 35592
7	LAWRENCE, MORGAN	S. R. (Sam) Letson	P. O. Box 256-B, Moulton 35650
8	MORGAN	Robert E. (Bob) Patton	P. O. Box 786, Decatur 35601
9	MORGAN	Tommy Ed Roberts	Brookwood Street, P. O. Box 1298, Hartselle 35640
10	MORGAN, CULLMAN	Steve Cooley	P. O. Box 1186, Cullman 35055
11	CULLMAN, WINSTON	W. C. (Bill) Bowling	Rt. 2, Hanceville 35077
12	WINSTON, WALKER	Carl C. Brakefield	P. O. Box G, Carbon Hill 35549
13	WALKER	Alvis Naramore	5th Avenue, 19th Street, Jasper 35501

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 14 JEFFERSON, BLOUNT
Earl Cheatwood Rt. 1, Box 932, Warrior 35180
- 15 JEFFERSON
Arthur Payne 2825 2nd. St., N. W. Birmingham 35215
- 16 LIMESTONE
Tommy Carter Rt. 2, Box 72, Elkmont 35620
- 17 LIMESTONE, MADISON
James P. (Jim) Smith 108 South Side Square
Huntsville 35801
- 18 MADISON
Frank H. Riddick 7804 Lauderdale Rd., S. W.,
Huntsville 35802
- 19 MADISON
Richard Gregg 4007 Nelson Dr., Huntsville 35810
- 20 MADISON
Robert E. Albright 2024 Stanhope Dr., N. E.,
Huntsville 35811
- 21 MADISON
Martha Jo Smith 1700 Big Cove Rd., S. E.,
Huntsville 35801
- 22 MADISON, JACKSON
Albert Hall P. O. Box 275, Gurley 35748
- 23 JACKSON
Cecil Shavers Jackson County Court House,
Scottsboro 35768
- 24 JACKSON, DeKALB
J. David Stout P. O. Box 1106, Fort Payne 35967
- 25 DeKALB, MARSHALL
T. Euclid Rains, Sr. Rt. 1, Box 326, Albertville 35950
- 26 MARSHALL
Phillip B. (Phil) Kelley Rt. 2, Box 486,
Guntersville 35976
- 27 BLOUNT, ETOWAH, MARSHALL
Bob Harvey Rt. 4, Box 342, Oneonta 35121
- 28 ETOWAH
Joe Ford 117 Arcade St. E., Gadsden 35903
- 29 ETOWAH
Bill Drinkard P. O. Box 372, Gadsden 35902
- 30 ETOWAH, CHEROKEE
H. H. (Bill) Adams Rt. 3, Box 257, Piedmont 36272
- 31 JEFFERSON
W. J. (Bill) Cabaniss P. O. Box 57032,
Birmingham 35209

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 32 JEFFERSON
George Seibels 4016 10th Ave., So., Birmingham 35222
- 33 JEFFERSON
Robert C. (Bob) Gafford 5345 Division Ave.,
Birmingham 35212
- 34 JEFFERSON
John E. Amari 9636 Parkway E., Birmingham 35215
- 35 JEFFERSON
Jack Biddle, III 2256 Pinehurst Dr., Gardendale 35071
- 36 JEFFERSON
Hoyt W. Trammell Rt. 15, Box 247, Birmingham 35224
- 37 JEFFERSON
Jim Bennett Marshall, Bennett & Company
Suite 616, Woodward Bldg.,
1927 1st Ave. N., Birmingham 35203
- 38 JEFFERSON
Ronald E. Jackson 1324 Elmwood St.,
Birmingham 35211
- 39 JEFFERSON
William Fred Horn 333 16th Ave. S. W.,
Birmingham 35211
- 40 JEFFERSON
J. Fred Olive, II 1612 27th St. W., Birmingham 35218
- 41 JEFFERSON
C. Howard Nevett 5028 Parkway Ave., Fairfield 35064
- 42 JEFFERSON
Hugh Boles 1036 Normandale Circle, Hueytown 35020
- 43 JEFFERSON
Jerome Tucker Suite 1722, 2121 Building, 8th Ave. N.,
Birmingham 35203
- 44 JEFFERSON
A. L. (Tony) Harrison 1630 4th Ave., No.,
Birmingham 35203
- 45 JEFFERSON
Sundra E. Escott P. O. Box 8172, Birmingham 35218
- 46 TUSCALOOSA
Park Barton P. O. Box 338, Tuscaloosa 35401
- 47 TUSCALOOSA
Roy W. Johnson, Jr. Route 4, Box 140,
Tuscaloosa 35405
- 48 TUSCALOOSA, BIBB
Walter Owens 107 Court Sq. West, Centreville 35042

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

- 49 TUSCALOOSA, JEFFERSON
Asbury Howard 1930 Exeter Ave., Bessemer 35020
- 50 JEFFERSON
M. Duane Lewis 1129 4th Ave. N., Bessemer 35020
- 51 JEFFERSON, SHELBY
J. T. (Jabo) Waggoner, Jr. 1829 Mission Rd.,
Birmingham 35216
- 52 JEFFERSON, SHELBY, TALLADEGA
Sonny Moore P. O. Box 44, Sterrett 35147
- 53 CHILTON, SHELBY
Curtis Smith Rt. 3, Box 118, Clanton 35045
- 54 COOSA, TALLADEGA
Ronald G. Johnson Route 5, Box 17,
Sylacauga 35150
- 55 TALLADEGA
Wallace Shoemaker 15 Cliff Rd., Childersburg 35044
- 56 ST. CLAIR, CALHOUN
A. J. Blake Rt. 1, Box 206A, Pell City 35125
- 57 CALHOUN
Gerald Willis Rt. 2, Box 286, Piedmont 36272
- 58 CALHOUN
Bobby C. Crow Rt. 10, Box 842, Anniston 36201
- 59 CALHOUN
James M. Campbell P. O. Box 2003, Anniston 36202
- 60 CLAY, CLEBURNE, TALLADEGA
Gerald O. Dial Box 248, Lineville 36266
- 61 RANDOLPH, CHAMBERS
Richard Laird Bonner Dr., Roanoke 36274
- 62 TALLAPOOSA, CHAMBERS
Owen Harper 502 Lilly Ave., E. Tallassee 36023
- 63 TALLAPOOSA, LEE, CHAMBERS
Pete Turnham P. O. Box 1592, Auburn 36830
- 64 CHAMBERS, LEE
Shelby Dean Ward P. O. Box 689, Opelika 36801
- 65 LEE, RUSSELL, BARBOUR
Charles W. Whatley Rt. 5, Box 296, Opelika 36801
- 66 RUSSELL
Charles Adams P. O. Box 967, Phenix City 36867
- 67 MACON, BULLOCK
Thomas Reed Drawer EE, Tuskegee Institute,
Tuskegee 36088

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 68 **PIKE, COFFEE, BULLOCK, BARBOUR**
James E. Ray 104 Woodland Circle, Troy 36081
- 69 **DALE, BARBOUR, HENRY**
James G. Sasser 1208 Skipperville Rd., Ozark 36360
- 70 **HOUSTON, HENRY, BARBOUR**
George H. Grimsley Rt. 1, Columbia 36319
- 71 **HOUSTON**
Joe Carothers, Jr. Rt. 8, Box 33, Dothan 36301
- 72 **DALE**
R. Nolan Williams Rt. 2, Newton 36352
- 73 **GENEVA, COVINGTON, HOUSTON**
Gene Daniels Rt. 2, Box 207, Samson 36477
- 74 **COVINGTON, COFFEE**
Jimmy W. Holley Rt. 3, Box 191 E. Elba 36323
- 75 **COVINGTON**
Seth Hammett P. O. Box 1418, Andalusia 36420
- 76 **ELMORE**
Jack B. Venable P. O. Box 736, Tallassee 36078
- 77 **MONTGOMERY**
Charles D. Langford 352 Dexter Ave.,
Montgomery 36104
- 78 **MONTGOMERY, CRENSHAW**
Cecil Wyatt P. O. Box 1, Ramer 36069
- 79 **MONTGOMERY**
Bob McKee P. O. Box 424, Montgomery 36102
- 80 **MONTGOMERY**
Alvin Holmes P. O. Box 6064, Montgomery 36106
- 81 **MONTGOMERY**
Larry Dixon State Board Medical Examiners
P. O. Box 946, Montgomery 36102
- 82 **AUTAUGA, ELMORE, LOWNDES, MONTGOMERY**
E. A. Grouby, Jr. P. O. Box 188, Prattville 36067
- 83 **WILCOX, LOWNDES, DALLAS**
William D. Edwards Rt. 1, Box 180A, Fort Deposit 36032
- 84 **BUTLER, CRENSHAW**
Eric O. Cates, Jr. Rt. 2, Box 320, Greenville 36037
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**ROSTER OF THE HOUSE OF REPRESENTATIVES
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- 88 GREENE, PICKENS, TUSCALOOSA, HALE
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- 89 TUSCALOOSA, PICKENS
Earl Mitchell P. O. Box 426, Northport 35476
- 90 SUMTER, CHOCTAW
Preston (Mann) Minus, Jr. P. O. Box 969,
Livingston 35470
- 91 ESCAMBIA
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- 92 CLARKE, MONROE
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- 93 MONROE, CONECUH, ESCAMBIA
J. E. (Jimmy) Warren P. O. Box 207,
Castleberry 36432
- 94 BALDWIN
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- 95 BALDWIN, MOBILE
Stephen A. McMillan P. O. Box 337, Bay Minette 36507
- 96 WASHINGTON, MOBILE
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- 97 MOBILE
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- 98 MOBILE
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- 102 MOBILE
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- 103 MOBILE
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- 104 MOBILE
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- 105 MOBILE
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**ROSTER OF THE
SENATE OF ALABAMA
FIRST EXTRAORDINARY SESSION, 1981**

George D. H. McMillan, Jr., *Lieutenant Governor*
State Capitol, Montgomery

Finis St. John, *President Pro-Tem*
Cullman

McDowell Lee, *Secretary*
Montgomery

Mrs. William R. Lawley, Jr., *Chief Clerk*
Montgomery

- DISTRICT NO. 1
Bobby Denton 1st Colbert Nat'l Bank
P. O. Drawer B, Sheffield 35660
- DISTRICT NO. 2
Charlie Britnell Northwest Alabama State
Junior College, Phil Campbell 35851
- DISTRICT NO. 3
Charles B. Martin P. O. Box 2204, Decatur 35602
- DISTRICT NO. 4
Finis St. John P. O. Drawer K, Cullman 35055
- DISTRICT NO. 5
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Birmingham 35215
- DISTRICT NO. 6
Albert McDonald Route 1, Madison 35758
- DISTRICT NO. 7
Bill Smith 2009 Gallatin St. S.W.,
Huntsville 35801
- DISTRICT NO. 8
James Lemaster Route 2, Box 228, Scottsboro 35768
- DISTRICT NO. 9
Hinton Mitchem P. O. Box 297, Albertville 35950
- DISTRICT NO. 10
Larry H. Keener 816 Chestnut St., Gadsden 35901
- DISTRICT NO. 11
Dewey White P. O. Box 7685A, Birmingham 35223
- DISTRICT NO. 12
Paschal P. "Pat" Vacca 1617 Mountain Dr.,
Tarrant 35217
- DISTRICT NO. 13
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Mike Weeks P. O. Box 322, Troy 36081

DISTRICT NO. 24

Chip Bailey P. O. Box 6791, Dothan 36302

DISTRICT NO. 25

Wallace Miller 100½ No. Main, Enterprise 36330

DISTRICT NO. 26

Don Harrison 516 S. Perry St., Montgomery 36104

DISTRICT NO. 27

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DISTRICT NO. 33

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DISTRICT NO. 34

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DISTRICT NO. 35

Bob Glass 733 Lakeshore Dr. W., Mobile 36609

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JOURNAL
OF THE
House of Representatives
STATE OF ALABAMA
SECOND
EXTRAORDINARY
SESSION OF 1981

**HELD IN THE CITY OF MONTGOMERY,
COMMENCING TUESDAY, SEPTEMBER 29, 1981**



**WITH AN INDEX PREPARED BY THE
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JOURNAL
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HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
SECOND EXTRAORDINARY SESSION
OF 1981

FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, September 29, 1981

Be it remembered that on the twenty-ninth day of September, His Excellency, Fob James, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, Fob James, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 5:00 P.M., Tuesday, September 29, 1981, and I do hereby designate the following subjects and matters, which I as Governor deemed necessary to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to apportion the members of the Senate and of the House of Representatives among districts, which districts, when formed, shall be as nearly equal to each other in number of inhabitants as may be reasonably possible.

2. Local Legislation.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this 21st day of September, 1981.

FOB JAMES,
Governor.

ATTEST:

DON SIEGELMAN
Secretary of State

In pursuance whereof, at the hour of 5:00 o'clock p.m., on Tuesday, the twenty-ninth day of September, 1981, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend Massey Gentry, Trinity Episcopal Church, Wetumpka, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to advise the House that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 1, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDonald:

S. J. R. 1. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

And the President and Presiding Officer of the Senate has appointed as members on part of the Senate Messrs. Little, Robertson, and Keener.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 1, set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, Tuesday, September 29, 1981, they adjourn to meet again on Wednesday, September 30, 1981; when they adjourn on Wednesday, September 30, 1981, they adjourn to meet again on Thursday, October 1, 1981, and when they adjourn on Thursday, October 1, they adjourn to meet again on Tuesday, October 6, 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 2, was adopted.

Also:

By Rep. Manley:

H. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when the House adjourns today, Tuesday, September 29, 1981, they adjourn to meet again on Wednesday, September 30, 1981, at 4:00 p.m.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 3, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Manley, leave of absence was granted for Rep. Biddle.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Carter and Roberts:

H. J. R. 4. CONDEMNING THE SAGINAW STEERING GEAR DIVISION OF GENERAL MOTORS FOR NOT UTILIZING MORE LOCAL LABOR AT THEIR LIMESTONE COUNTY INDUSTRIAL PLANTS.

WHEREAS, The Saginaw Steering Gear Division of General Motors recently opened new industrial plants in Limestone County; and

WHEREAS, These plants were opened under the provisions of the Wallace-Cater Act and were granted special tax considerations; and

WHEREAS, The Limestone County Commission and all of the local people and officials in Limestone County extended every courtesy and consideration and help possible to General Motors in the opening of their plants and

WHEREAS, it was unofficially agreed and understood that these plants would provide employment for the local labor force in Limestone County and the surrounding area; and

WHEREAS, these plants presently employ approximately 2,000 and have a prospective employment of approximately 4,500; and

WHEREAS, General Motors has seen fit to virtually renege on their unwritten promise to hire local labor, but is importing some of its labor from Northern states; and

WHEREAS, this is a considerable blow and affront to the highly productive labor force and great people of Limestone County and Northern Alabama; and whereas the local unemployment rate is up in Northern Alabama and an ample supply of labor is available; and

WHEREAS, the Legislature wishes to call the attention of the entire state and nation to the mistreatment of Limestone County tax payers and citizens of our surrounding counties by General Motors; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do condemn General Motors for the actions they have taken and for their employment practices at their Saginaw Steering Gear Division Plants in Limestone County and do call upon the people of Alabama and their sister states to voice their opposition to the practice of preferential hiring outside of our local labor force.

BE IT FURTHER RESOLVED, That the Clerk of the House send copies of this resolution to the proper officials of General Motors.

On motion of Rep. Carter, the rules were suspended and the resolution, H. J. R. 4, was adopted.

Also:

By Rep. Carter:

H. R. 5. HONORING MR. DANIEL L. KINSEY, KING OF THE GULF COAST SHRIMPERS.

WHEREAS, Daniel L. Kinsey, a former member of the Alabama Legislature, has acquired a statewide reputation as one of our state's most successful shrimpers; and

WHEREAS, he has, on numerous occasions, demonstrated his outstanding ability to those accompanying him in quest of the crafty crustaceans which, more often than not, fail to elude the nets of "Shrimp King Kinsey" as he is known along Alabama's Gulf Coast; and

WHEREAS, guest lists for these legendary shrimp expeditions have included a number of Mr. Kinsey's former colleagues who can truthfully attest to a proficiency so extraordinary as to earn for him the title of "King of the Gulf Coast Shrimpers"; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That we most highly praise and commend Daniel L. Kinsey of Foley, Alabama, on his phenomenal success as a shrimper nonpareil.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Kinsey that he may know of our sincere praise and of our warm congratulations on his royal designation as "King of the Gulf Coast Shrimpers."

On motion of Rep. Carter, the rules were suspended and the resolution, H. R. 5, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Smith (J):

H. R. 6. HONORING MR. JEFFERSON DAVIS SMITH FOR OUTSTANDING COMMUNITY SERVICE.

Also:

The following resolution was introduced:

By Reps. Edwards and Warren:

H. J. R. 7. COMMENDING THE MACMILLAN BLOEDEL COMPANY OF PINE HILL, WILCOX COUNTY, ALABAMA.

WHEREAS, it is with utmost commendation that the Alabama Legislature extends congratulations to the drivers of the MacMillan Bloedel Company who recently were honored by the Aetna Life and Casualty Insurance Company for an enviable record of 2.3 million miles without an accident; and

WHEREAS, this prestigious award was presented to MacMillan Bloedel's transportation superintendent, Mr. Dewey King, on behalf of the company's 46 log truck drivers who have driven 1,000 days without a day lost due to an injury and for an actual 416 days without a highway accident; and

WHEREAS, it is also to be noted that this outstanding MILEstone award was the first of its kind ever presented by an insurance company in Alabama, and the management and employees of MacMillan Bloedel are indeed to be highly praised for their joint effort and success in achieving such a superior safety record; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we stand in tribute to the

conscientious and capable log truckers of MacMillan Bloedel and further commend the firm for its outstanding safety record.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the MacMillan Bloedel Company of Pine Hill, Alabama, on behalf of its employees and in token of this body's high praise and esteem.

On motion of Rep. Edwards, the rules were suspended and the resolution, H. J. R. 7, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Hammett:

H. R. 8. MOURNING THE DEATH OF MR. CASEY LEE OF COVINGTON COUNTY, ALABAMA.

Also:

By Rep. Williams:

H. R. 9. CONGRATULATING AND COMMENDING THE OWNERS OF THE BEAUTIFUL NEW SHERATON RIVERFRONT STATION IN MONTGOMERY, ALABAMA.

Also:

The following resolutions were introduced:

By Rep. Williams:

H. J. R. 10. CONGRATULATING AND COMMENDING THE OWNERS OF THE BEAUTIFUL NEW SHERATON RIVERFRONT STATION IN MONTGOMERY, ALABAMA.

WHEREAS, the luxurious, new Sheraton Riverfront Station is synonymous with progress and a major contribution to the restoration of the old warehouse district and Lower Commerce Street area of our historic Capital City; and

WHEREAS, the magnificent hotel, while a model of convenience and efficiency, also is reminiscent of our old and gracious Southland, a subtle blend of modern suitability, southern comfort and tradition; and

WHEREAS, in addition to 131 rooms and suites, the edifice also houses two restaurants, two lounges, and meeting and banquet rooms as well as executive offices in its U-shaped complex; and

WHEREAS, Ms. Mamie Thompson, Mr. William Gordy and Mr. Robert Word, as owners of the Sheraton Riverfront Station, are indeed to be commended for their foresight and initiative in restoring the old Western Railway Freight Depot, the site chosen for their unique hotel; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend the owners of the beautiful new Sheraton Riverfront Station; we congratulate them upon the grand opening of their hotel, October 1st through the 3rd, 1981, and express our appreciation for their contribution to the economy and future of Montgomery.

BE IT FURTHER RESOLVED, That Ms. Thompson and Messrs. Gordy and Word each receive a copy of this resolution in token of our warm congratulations and sincere praise.

The resolution, H. J. R. 10, was read and referred to the Standing Committee on Rules.

Also:

By Reps. Penry and McMillan:

H. J. R. 11. HONORING DR. AUBREY R. McVAY UPON HIS RETIREMENT AS SUPERINTENDENT OF THE BALDWIN COUNTY SCHOOLS.

WHEREAS, The October 1, 1981, retirement of Dr. Aubrey R. McVay marks the close of an outstanding career in education which spans almost one-half century of service, beginning and ending in Baldwin County, Alabama; and

WHEREAS, Dr. McVay is a graduate of the University of Alabama with a B.S. Degree and an M.A. Degree in Administration and Supervision; he studied additionally on the post graduate level at several universities and colleges, including New York's Columbia University, and was awarded an Honorary LL.D. Degree by Mobile College; and

WHEREAS, through the years, he variously served his profession with distinction as a classroom teacher and principal in the elementary and secondary schools of Baldwin County, as Assistant Superintendent and Director of Instruction, also in Baldwin County, and as Superintendent which position he held at retirement; and

WHEREAS, Dr. McVay has further served as an instructor during summer sessions at the University of South Alabama and the University of Alabama in Tuscaloosa and as Coordinator of Workshops and Seminars, as well; he has been Supervisor of USA Student Teachers in Baldwin County, has served as consultant for high school faculties throughout Alabama for self-study and accreditation, and is a member of the Secondary Commission and Appeals Committee of the Southern Association of Colleges and Schools; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Dr. Aubrey R. McVay on his extraordinary career in the field of Education and wish him every success in all future endeavors.

BE IT FURTHER RESOLVED, That Dr. McVay receive a copy of this resolution that he and his family may know of our high praise, appreciation and warm personal regard.

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 11, was adopted.

Also:

By Reps. Penry and McMillan:

H. J. R. 12. COMMENDING MRS. CATHERINE BARRETT OF FAIRHOPE, ALABAMA, 1981 "COUNSELOR OF THE YEAR."

WHEREAS, The Alabama Legislature is pleased to note the recent selection of Mrs. Catherine Barrett as "Counselor of the Year" for 1981 at the

Alabama Vocational Association Conference, a signal honor accorded in recognition of her numerous contributions and accomplishments in the area of vocational training for Alabama's youth; and

WHEREAS, a University of Alabama graduate, Mrs. Barrett taught for one year prior to enlisting in the military during World War II; following discharge as a captain, she was employed as a dietitian in Auburn until 1951; and

WHEREAS, Mrs. Barrett has been employed with the Baldwin County School System for the past three decades, serving first as a counselor and teacher at the Fairhope and Baldwin County High Schools and, for the past six years, as the Baldwin County Vocational Education Counselor; and

WHEREAS, the 1980-1981 president of AVA, Mrs. Barrett also served as president of Alpha Delta Kappa teachers' honorary in Baldwin County and on the sorority's State Board of Directors; she is the 1979 Business and Professional Woman's Club of Fairhope "Woman of Achievement" and has served on numerous Alabama State Board of Education committees, as well as committees of the Southern Association for High Schools and Colleges for Davidson High School, Choctaw County, Sumter County and the Birmingham City Schools; and

WHEREAS, Mrs. Barrett's selection as "Counselor of the Year" from among 125 counselors statewide is a reflection of her dedication and of her consuming desire to develop career goals for young students under her guidance; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate Mrs. Catherine Barrett as the Alabama Vocational Association "Counselor of the Year" and direct that she receive a copy of this resolution, tendered in warm praise and regard.

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 12, was adopted.

Also:

By Rep. Dial:

H. J. R. 13. HONORING MR. JOEL THOMPSON UPON HIS RETIREMENT AS CLEBURNE COUNTY EXTENSION AGENT.

WHEREAS, the Alabama Legislature has today noted, with commendation, the illustrious career of Cleburne County Agent Joel Thompson whose recent retirement brought to a close a 27-year tenure with the Alabama Cooperative Extension Service; and

WHEREAS, a Clay County native, Mr. Thompson is a graduate of Lineville High School who declined a football scholarship from an out-of-state university to attend Auburn University instead; he worked his way through college to graduate with a Bachelor's degree in Agricultural Education, thus equipped to pursue a desire to help farmers improve their lives; and

WHEREAS, he first taught at Susan Moore High School in Blount County, moving in 1946 to Jefferson County and Corner High School near Warrior, Alabama; in 1954 he joined the Alabama Cooperative Extension Service having acquired his Master's degree in Agricultural Education, also from Auburn; and

WHEREAS, after a year in training, Mr. Thompson worked as an assistant county agent in Walker and Shelby Counties before joining the Cleburne County office in 1971, remaining until retirement; and

WHEREAS, Agent Thompson was the first to realize Cleburne County's potential for apple-growing as a commercial crop, a project which has proved highly successful for the area; he also has supported increased truck farming to the economic advantage of the farmer; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Cleburne County Agent Joel Thompson on his outstanding career with the Alabama Extension Service; we further wish him well in all future endeavors and direct that he receive a copy of this resolution in token of our sincere warm praise and regard.

On motion of Rep. Dial, the rules were suspended and the resolution, H. J. R. 13, was adopted.

Also:

By Reps. Warren and McCorquodale:

H. J. R. 14. MOURNING THE DEATH OF FORMER MONROE COUNTY PROBATE JUDGE DAVID MILLER NETTLES.

WHEREAS, this legislature has been greatly saddened by the death of former Monroe County Probate Judge David Miller Nettles; and

WHEREAS, Mr. Nettles was a native of Monroe County who lived in Monroeville for forty years, having graduated from Monroe County High School. He attended Auburn University and received his bachelor of science and law degrees from the University of Alabama; and

WHEREAS, upon graduating from the University, he entered the armed services of this country and upon receiving his honorable discharge, he returned to practice law in Monroeville until then-Governor George C. Wallace appointed him probate judge in November 1963 to fill the unexpired term of the former probate judge who had died in office; and

WHEREAS, Judge Nettles was elected to a six-year term in 1964 and served until 1970, whereupon he went to work with the U.S. Department of Housing and Urban Development as an attorney and lived in Atlanta, Georgia, and Louisville, Kentucky, until he was transferred to Birmingham in 1978, where he resided until his death; and

WHEREAS, Judge Nettles was a devoted community builder who served his people with great love and dedication and was a true southern gentleman whose advice and counsel was sought by people in all walks of life; he was of a kindly disposition and was loved by all who came to know him; and

WHEREAS, this Legislature would like to pay tribute to this great but humble man who made a significant and lasting contribution to the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of David Miller Nettles, and express our deep and sincere sympathy to his widow, Mrs. Amelia Trammell Nettles of Birmingham; his mother, Mrs. Blanche S. Nettles of Mobile; his son, David Lee Nettles; his two daughters, Dorothy Miller Nettles and Amelia Gayle Nettles, both of Birmingham, and to his three

brothers, George Clay Nettles of Ankara, Turkey, Dr. Joe Nettles of Savannah, Georgia, and Bert S. Nettles of Mobile, to whom copies of this resolution shall be sent.

On motion of Rep. Warren, the rules were suspended and the resolution, H. J. R. 14, was adopted.

Also:

By Rep. Dixon:

H. J. R. 15. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT A NATIONAL STRATEGY OF PEACE THROUGH STRENGTH.

WHEREAS, the Soviet Union has exploited United States peace initiatives to build up its strategic and conventional warfare capabilities; and

WHEREAS, this has given the Soviet Union the means to support increasingly bolder world-wide aggression; and

WHEREAS, there is basis for concern that the Soviets may next use these forces in Pakistan, Iran and Yugoslavia; and

WHEREAS, the Soviet Union has demonstrated an unwillingness to live by international law; and

WHEREAS, the United States is the one world power that can stop the Soviet expansionism; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,

(a) That we urge the Congress of the United States to adopt a National Strategy of Peace Through Strength, the general principles of which would be:

(1) To inspire, focus and unite the national will and determination to achieve this goal of peace through freedom;

(2) to achieve overall military and technological superiority over the Soviet Union;

(3) to create a strategic defense and a civil defense which would protect United States citizens against nuclear war at least as well as the Soviets defend their citizens;

(4) to accept no arms control agreement which in any way jeopardizes the security of the United States or its allies, or locks the United States into a position of military inferiority;

(5) to re-establish effective security and intelligence capabilities;

(6) to pursue positive non-military means to roll back the growth of communism;

(7) to help our allies and other non-communist countries defend themselves against communist aggression; and

(8) to maintain a strong economy and protect our overseas sources of energy and other vital raw materials.

(b) That the Legislature acknowledges that it will take the combined efforts of hundreds of organizations to achieve the adoption of a National Strategy of Peace Through Strength.

(c) That the Legislature joins the Coalition for Peace Through Strength to work with other organizations and entities for the adoption of a National Strategy of Peace Through Strength, except that this Legislature reserves to itself the right to make its own decisions as to how the principles shall be applied on individual issues.

BE IT FURTHER RESOLVED, That the Clerk of the House of Representatives is directed to send copies of this resolution to each member of the Alabama Congressional Delegation; Mr. Zenon W. Dembitsky, 3050 Boxwood Drive, Montgomery, Alabama, 36111; and the Coalition for Peace Through Strength, Boston, Virginia 22713.

On motion of Rep. Dixon, the rules were suspended and the resolution, H. J. R. 15, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Kirkland:

S. J. R. 2. DESIGNATING OCTOBER 10, 1981, AS "WILLIAM LEE GOLDEN DAY" IN ALABAMA.

Also:

By Messrs. Britnell, Denton, Bailey, Barron, Callahan, Cook, deGraffenried, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White.

S. J. R. 4. CONGRATULATING DR. RICHARD O. RUTLAND, JR., OF FAYETTE, THE "FAMILY DOCTOR OF THE YEAR".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 2 and S. J. R. 4, the titles of which are set out in the above and foregoing Message from the Senate, were read and referred to the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Minus and Manley:

H. J. R. 16. NAMING THE BRIDGE ON ALABAMA HIGHWAY 39 WHICH SPANS THE TOMBIGBEE RIVER AT GAINESVILLE, ALABAMA, CONNECTING SUMTER AND GREENE COUNTIES, "THE BARNES ADUSTON ROGERS BRIDGE."

WHEREAS, Mr. Barnes Aduston Rogers is a native and lifelong resident of Sumter County, Alabama, and is one of his community's most prominent and outstanding citizens; and

WHEREAS, long active in the affairs of his beloved home county, Mr. Rogers is held in deep affection and esteem for his responsible civic involvement and for his care and concern for the betterment and well-being of his community; and

WHEREAS, it is the desire of this body that fitting tribute be paid to an extraordinary man whose works and deeds have profoundly benefitted his fellow citizens, neighbors and friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we hereby name and designate the bridge on Alabama Highway 39 which spans the Tombigbee River at Gainesville, Alabama, connecting Sumter and Greene Counties, "The Barnes Aduston Rogers Bridge."

BE IT FURTHER RESOLVED, That the proper authorities are hereby directed to erect and maintain appropriate signs and markers so designating said bridge as "The Barnes Aduston Rogers Bridge."

RESOLVED FURTHER, That a copy of this resolution be forwarded to Mr. Rogers as a memento of this honorary designation in tribute to his accomplishments and contributions on behalf of Sumter County and the State of Alabama.

On motion of Rep. Minus, the rules were suspended and the resolution, H. J. R. 16, was adopted.

Also:

By Reps. Reed and Holmes:

H. J. R. 17. PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. BOOKER T. WASHINGTON ON THE CAPITOL GROUNDS.

WHEREAS, Booker T. Washington was a distinguished educator who brought great fame and worldwide recognition to the State of Alabama; and

WHEREAS, as the first president of Tuskegee Institute, Booker T. Washington nurtured the university in its infancy, moulding its direction and growth into one of the largest predominantly Black universities in the United States; and

WHEREAS, in gratitude for his brilliant accomplishments in the field of education, it is fitting that the State of Alabama pay tribute to an outstanding citizen of our state and that such memorial be appropriately placed so that students, out-of-state visitors and all Alabama citizens may be reminded of the extraordinary place in history held by Dr. Booker T. Washington; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama Historical Commission is hereby directed to provide for the purchase or moulding, and for the placement on the capitol grounds, of a bust or statue of Booker T. Washington with an appropriate inscription thereon.

BE IT FURTHER RESOLVED, That expenses incurred for purchasing and placement of said bust or statue be paid out of funds from private donations, or from any other funds made available for said purpose.

On motion of Rep. Reed, the rules were suspended and the resolution, H. J. R. 17, was adopted.

Also:

By Reps. Campbell, Willis, Crow and Blake:

H. J. R. 18. DESIGNATING THE WEEK OF OCTOBER 19-25, 1981 AS "CALHOUN COUNTY INDUSTRY WEEK".

WHEREAS, the Legislature of Alabama recognizes the many contributions that the industries of Calhoun County have made not only to the economy of both Calhoun County and the State of Alabama, but also to the people in gifts of time and talent to promote community progress; and

WHEREAS, it is with enthusiasm that we endorse the 6th annual "Industry on Parade" exhibition sponsored by the Calhoun County Chamber of Commerce, to be held at Quintard Mall, October 19-25, 1981; and

WHEREAS, we salute the joint enthusiasm of 59 industries and the Calhoun County Chamber of Commerce in their effort to enhance community awareness and appreciation for the diversity and impact of Calhoun County's industrial base; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in praise, we hereby designate the week of October 19-25, 1981, as "Calhoun County Industry Week" to honor and give distinction to such industries.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Calhoun County Chamber of Commerce and to each of the participating industries as evidence of our enthusiastic endorsement of their "Industry on Parade."

On motion of Rep. Campbell, the rules were suspended and the resolution, H. J. R. 18, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Manley, Campbell, Bennett, Smith (J), Hines, Ward, Cates, Howard and Kelley:

H. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Judiciary.

By Rep. Manley:

H. 2. To repeal Sections 10-2A-260 and 10-2A-261, Code of Alabama 1975, to eliminate the filing of an annual report with the Secretary of State; to repeal the filing fee for such annual report by amending Section 10-2A-

281(20), Code of Alabama 1975; and to require more comprehensive information to be given on the permit application filed with the Department of Revenue under Sections 40-14-21 and 40-14-22, Code of Alabama 1975.

Judiciary.

By Rep. Manley:

H. 3. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

Judiciary.

By Rep. Manley:

H. 4. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

Judiciary.

By Rep. Manley:

H. 5. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

Judiciary.

By Reps. Manley, Pegues, Clark (G) and Minus (With Notice and Proof):

H. 6. To provide further for the 17th Judicial Circuit; to provide for an expense allowance for the district court judges of the 17th Judicial Circuit to be paid by the counties comprising the circuit; to repeal conflicting laws; to specifically repeal Act No. 1703, H. 2502 of the 1971 Regular Session (Acts 1971, p. 2862), and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), both as last amended, establishing the Sumter County Court of Record, so as to abolish such court.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 6, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Gafford, Moore, Bennett and Amari (With Notice and Proof):

H. 7. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 7, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Waggoner:

H. 8. To exempt Birmingham Football Foundation, Inc., Birmingham, Alabama, from the payment of state, county or municipal sales or use taxes.

Ways and Means.

By Rep. Waggoner (With Notice and Proof):

H. 9. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 9, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Waggoner:

H. 10. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame Board so as to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

Ways and Means.

By Rep. Waggoner (With Notice and Proof):

H. 11. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 11, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Waggoner (With Notice and Proof):

H. 12. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing

body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 12, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Ward and Laird (With Notice and Proof):

H. 13. Relating to the City of Valley in Chambers County; to provide further for the police jurisdiction.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 13, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Barton, Sasser and Ray:

H. 14. To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61 (c), Code of Alabama 1975, as amended on the storage, use or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981, for storage, use or other consumption in this state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

Ways and Means.

By Rep. Biddle:

H. 15. To regulate further the real estate business in Alabama and to amend certain sections of the Code in order to further regulate the licensing of persons engaged in the real estate business in this state and to increase certain fees and charges in relation to transfer of a license and examinations.

Ways and Means.

By Rep. Johnson (Roy) (With Notice and Proof):

H. 16. To amend Sections 2, 3, and 6 of Act No. 80-780, S. 569, 1980 Regular Session (Acts 1980, p. 1615), relating to the levying of court costs in Tuscaloosa County, so as to provide further for the use of such court costs and to delete the provision placing a ceiling on the amount which may be collected as well as the provision requiring the creation of an additional district judgeship.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 16, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Howard (With Notice and Proof):

H. 17. Relating to Tuscaloosa County; providing further for the compensation of the Tuscaloosa County Commission, except for the probate judge.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 17, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Howard (With Notice and Proof):

H. 18. Relating to Tuscaloosa County; providing further for the compensation of the mayor and associate commissioners.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 18, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Howard and Lewis (With Notice and Proof):

H. 19. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 19, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Horn (With Notice and Proof):

H. 20. To provide members of the governing body of Class I cities in Alabama and all cities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits; to provide that this act supercedes the provisions of Sections 1 and 2 of Act No. 129 of the Regular Session of the Legislature of 1965 (Acts of Alabama 1965, pp. 194-195), that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 20, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Horn (With Notice and proof):

H. 21. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census be and Section 3.05 is hereby amended to read as follows:

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 21, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Tucker, Harrison, Horn and Jackson (With Notice and Proof):

H. 22. To confer upon the County Commission of Jefferson County the power to levy and collect a county sales tax, or a county license tax, or to levy and collect both of said taxes, subject to the condition that any tax levied under the act shall be used solely for the purpose of providing public transit service within the county and to the other conditions enumerated in the act, and to provide an exemption from any tax levied hereunder within any municipality which levies, collects, and pays over to any transit authority organized under Act No. 993 of the 1971 Regular Session of the Legislature, the proceeds of a tax, or taxes, similar to that levied by the county which is identical as to rate and incidence of taxation.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 22, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Clark (G) and Manley (With Notice and Proof):

H. 23. Relating to Greene County; exempting new or expanding industry in the county from the payment of county and municipal sales and use taxes.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 23, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Clark (G) and Manley (With Notice and Proof):

H. 24. To give the county commission of Greene County the authority to increase certain clerk hire allowances and to provide for the purchase of certain office equipment.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 24, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Clark (G) and Manley (With Notice and Proof):

H. 25. Relating to Greene County; to further provide for the per diem of members of the County Board of Equalization.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 25, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Minus:

H. 26. To amend section 40-17-166, Code of Alabama 1975, relating to the annual flat fee on vehicles using liquefied petroleum gas as fuel, so as to exempt from the payment of such fee any vehicles owned and operated by county and municipal school boards.

Ways and Means.

By Rep. Minus:

H. 27. To prescribe that no more than one commercial hazardous waste site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste site.

Judiciary.

By Rep. Minus (With Notice and Proof):

H. 28. To provide for a certain increase in court costs in the Choctaw County division of the First Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Choctaw County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 28, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Cobb (With Notice and Proof):

H. 29. Relating to Marion County; amending Section 1 of Act No. 108, H. 78, 1978 Regular Session (Acts 1978, p. 1825), relating to an additional expense allowance for members of the county board of education, so as to increase the amount of such allowance.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 29, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Moore, Waggoner and Smith (C):

H. 30. To amend Section 16-13-211 of the Code of Alabama 1975 so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

Ways and Means.

By Reps. Campbell and Barton:

H. 31. To amend section 32-7-5 and 32-7-6, Code of Alabama 1975, commonly known as the Motor Vehicle Safety Responsibility Act, so as to increase the security required, and to increase the amount of property damage which must be sustained to require an accident report be filed.

Insurance.

By Rep. Campbell:

H. 32. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Constitution and Elections.

By Rep. Dial (With Notice and Proof):

H. 33. Relating to Cleburne County; providing further for the treating, depositing, dumping, the site or transporting of industrial waste in the county; creating the Cleburne County Industrial Waste Committee and providing for the composition of such committee, the selection of the membership, terms of office, powers and duties; providing for meetings and transaction of business; prescribing public hearings on all proposed activities and sites for such wastes and recommendation therefor by the committee to the appropriate state agencies; and specifically providing that no provision of this act shall be construed to amend or repeal any general law relating to regulating hazardous or solid wastes.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 33, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Jackson, Escott, Horn and Tucker (With Notice and Proof):

H. 34. Relating to Class I municipalities, to authorize the mayor of any Class I city of this state to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor, to provide that the salary of the Chief Administrative Assistant shall be determined by the Mayor, and to provide that such employee shall not be subject to any merit system.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 34, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Jackson, Escott, Horn and Tucker (With Notice and Proof):

H. 35. To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to provide that both the number and salary of the mayor's assistants shall be determined by the mayor.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 35, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Starkey:

H. 36. To validate, in certain cases, port authorities attempted to be incorporated under the provisions of Act No. 80-647 adopted at the 1980 Regular Session of the Legislature of Alabama (Sections 11-94-1 et seq. of the Code of Alabama 1975, as amended) and invalid because of any irregularity in the procedure for incorporation.

Natural Resources.

By Rep. Bowling:

H. 37. To define the criminal offense of illegal possession of food stamps; to classify the degrees of such offense; and to prescribe punishment for the commission of such offense.

State Administration.

By Rep. Bowling (With Notice and Proof):

H. 38. Relating to Cullman County; amending Section 1 of Act No. 711, H. 1109 of the 1976 Regular Session (Acts 1976, p. 991), relating to costs and charges in criminal cases, so as to further define such costs shall apply in municipal as well as other courts in the county and circuit, and to further prescribe the amount and expenditure of said costs.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 38, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Bowling (With Notice and Proof):

H. 39. Relating to the Thirty-second Judicial Circuit, to change the present jury strike system to a one strike system in trials by jury for misdemeanors or felonies not punished by capitally or upon appeals to the circuit courts from lower courts.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 39, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. McCorquodale (With Notice and Proof):

H. 40. Relating to Clarke County; amending Section 2 and repealing Section 3 of Act No. 446, H. 244, Regular Session 1975 (Acts of Alabama 1975, p. 1068), which act provides a clerk-hire allowance for the tax assessor and the tax collector, so as to change the manner of payment of such clerks.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 40, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Roberts and Patton (With Notice and Proof):

H. 41. Relating to Morgan County; permitting banks now or hereafter situated in Morgan County to establish, maintain or operate branch banks and branch offices within the corporate limits of Priceville, Alabama, for the conduct of a general banking and trust business.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 41, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Higginbotham:

H. 42. To amend section 26-7-2, Code of Alabama 1975, which relates to the payment of certain funds owed to minors or persons of unsound mind to the probate judge, so as to provide further for the amount of such funds.

Judiciary.

By Rep. Dixon (With Notice and Proof):

H. 43. To provide that the operation of bingo games for prizes or money by charitable organizations for bona fide charitable or educational purposes

shall be legal in Montgomery county, to provide for permits, applications, forms and contents to operate bingo, to provide for special permits, to provide for contents and display of permits, to prohibit certain activities and impose special requirements, to provide for fees and expenses, to provide for the disposition of proceeds, to provide for the operation of bingo, to provide for the keeping of records and their inspection, to provide for the issuance and revocation of permits, to provide for supervision by the circuit court, to provide for penalties and forfeitures, and to provide that this Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery county, but only if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery county.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 43, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Dixon and Turnham:

H. 44. Authorizes members of the State Employees' Retirement System and Teachers' Retirement System, who are contributing to their respective fund as of October 1, 1981, to purchase credit up to four years for retirement purpose for service as a member in the Armed Forces of the United States; authorizes payroll deduction under certain conditions; provides for termination date of this act.

Ways and Means.

By Reps. Dixon, Pegues and Carter:

H. 45. To amend Section 6-5-33, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

Health.

By Rep. McKee:

H. 46. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

Ways and Means.

By Rep. McKee:

H. 47. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

Ways and Means.

By Rep. McKee:

H. 48. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Ways and Means.

By Rep. Owens:

H. 49. To amend Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to correct typographical errors and to add an appropriation for the Board of Polygraph Examiners and to make further appropriations of State Funds for the Fiscal Year ending September 30, 1982.

Ways and Means.

By Rep. Owens:

H. 50. To amend further Section 40-12-414 and Section 40-12-421, Code of Alabama 1975, which regulates and licenses automotive dismantlers and parts recyclers, so as to provide further for said regulation and licensing.

Ways and Means.

By Rep. Kennedy (With Notice and Proof):

H. 51. To provide a supplement to the salaries of district court bailiffs in the Thirteenth Judicial Circuit.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 51, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Johnson (R. G.), Roberts, Dixon, Carothers and Bedsole:

H. 52. This bill appropriates \$300,000 from the state general fund to the Department of Public Health for the solid and hazardous waste program.

Ways and Means.

By Reps. Johnson (R. G.), Shoemaker and Carothers:

H. 53. To amend section 41-16-27, Code of Alabama 1975, so as to add factors to be considered in the letting of certain contracts.

Health.

By Reps. Johnson (R. G.), Shoemaker and Carothers:

H. 54. To amend section 22-6-7, Code of Alabama 1975, so as to provide further for the letting of certain contracts by the Medicaid Agency of the State of Alabama.

Health.

By Rep. Warren (With Notice and Proof):

H. 55. Relating to Conecuh County; providing an additional clerk-hire allowance for the tax collector and specifically repealing Act No. 471, H. 1265 of the 1975 Regular Session of the Legislature (Acts 1975, p. 1095) and Act No. 79-648 of the 1979 Regular Session of the Legislature (Acts 1979, p. 1128) and all other laws in conflict herewith.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 55, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Whatley and Smith (C):

H. 56. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

Agriculture and Forestry.

By Reps. Whatley and Smith (C):

H. 57. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Health.

By Reps. Ray and Edwards:

H. 58. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Local Government.

By Reps. Ray and Holley (With Notice and Proof):

H. 59. Relating to the twelfth judicial circuit; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 59, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Naramore:

H. 60. To amend § 16-13-71 of the Code of Alabama 1975, as amended, so as to provide that warrants issued by city or county boards of education pursuant to the provisions of Article 4 of Chapter 13 of Title 16 of said Code may bear interest at a rate or rates not exceeding 14% per annum and may be sold at a price yielding not exceeding 14%.

Ways and Means.

By Rep. Naramore (With Notice and Proof):

H. 61. Relating to the fourteenth judicial circuit; regulating certain salary increases for certain personnel in the district attorney's office.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 61, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Naramore (With Notice and Proof):

H. 62. Relating to Walker County; providing further for the compensation of the clerk of the jury commission.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 62, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Naramore (With Notice and Proof):

H. 63. To amend Section 2 of Act No. 464, H. 1238 of the 1977 Regular Session of the Legislature (Acts 1977, p. 603) relating to the salary of the investigator for the district attorney's office in the fourteenth judicial circuit so as to provide further for such salary.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 63, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Reed (With Notice and Proof):

H. 64. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 64, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Reed (With Notice and Proof):

H. 65. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 65, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Drinkard and Adams (H) (With Notice and Proof):

H. 66. To authorize the Etowah County governing body to levy and collect, in addition to all other taxes heretofore imposed by law, a county excise and privilege tax on every person severing coal within the county; to provide that the proceeds collected therefrom be deposited in the county general fund; to authorize the county governing body to inspect the books of each person severing coal and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; and to prescribe penalties for the violations of the provisions of this Act.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 66, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Harper (O) and Turnham (With Notice and Proof):

H. 67. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of Jacksons' Gap in said county.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 67, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Wyatt:

H. 68. To provide longevity pay for certain employees in the classified service of the state; to prescribe the amount of such pay and the manner of its payment; and to appropriate funds for the purposes of the act.

Ways and Means.

By Rep. Edwards:

H. 69. To confer the power to grant franchises upon the County Commissions of the several counties in this state in relation to the operation of community antenna television facilities; to empower the said County Commissions to set up reasonable rules and regulations governing the exercise of rights granted by the said franchises; to grant franchises and regulate such franchises in certain counties; to authorize and empower the said County Commissions to levy a license tax and fix the amount of said tax on the business performed under said franchise.

Local Government.

By Reps. Edwards and Grouby (With Notice and Proof):

H. 70. To alter, rearrange and extend the boundary lines and corporate limits of the town of Fort Deposit in Lowndes County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 70, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Turnham, Ward and Whatley (With Notice and Proof):

H. 71. Relating to the Thirty-seventh Judicial Circuit, to change the present jury strike system to a one strike system in trials by jury for misdemeanors or felonies, or upon appeals to the circuit courts from lower courts.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 71, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Turnham:

H. 72. To make an appropriation from the Special Educational Trust Fund to Auburn University for capital outlay purposes for the fiscal year beginning October 1, 1981; to provide that the amount of such appropriation shall be restored to the Special Educational Trust Fund upon the sale of bonds authorized by Act No. 138, S. 1, 1978 Second Special Session, as amended.

Ways and Means.

By Rep. Venable:

H. 73. To amend Section 17-9-33, Code of Alabama 1975, which provides for the canvassing of votes and the proclamation of election results, so as to allow non-carbonized paper to be used on the statements of canvass.

Constitution and Elections.

By Rep. Venable:

H. 74. To amend Code of Alabama 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomin-

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ation, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

Constitution and Elections.

By Rep. Venable (With Notice and Proof):

H. 75. Relating to Elmore County; to amend section 5 of Act No. 983, H. 1019, Regular Session 1971, (Acts 1971, p. 1755) relating to the taxation of certain alcoholic beverages in said county, so as to provide further for such tax, and to provide for retroactive effect.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 75, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Sandusky and Bedsole:

H. 76. To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

Ways and Means.

By Reps. Amari, Bennett, Smith (J), Venable, Cates, Wyatt and Waggoner:

H. 77. To provide that the state agencies, departments, boards or commissions may purchase liability insurance or be the self-insuror of the wrongful acts or omissions committed by their employees, agents, or servants while in the performance of their official duties in the line and scope of their employment; to establish the procedure for notification of the State Attorney General of suits against state employees for acts committed in the line and scope of their performance; and to provide that the charges or costs of such liability insurance or self insurance shall be borne from the general operating funds of the various state agencies, boards, commission or departments.

Ways and Means.

By Reps. Amari, Bennett, Smith (J) and Waggoner:

H. 78. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

State Administration.

By Reps. Amari, Bennett, Smith (J) and Waggoner:

H. 79. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

Judiciary.

By Rep. Bowling:

H. 80. To grant driver license examiners who are not state troopers a salary increase and to provide possible retroactive effect.

Ways and Means.

By Rep. Gafford:

H. 81. Proposing an amendment to the Constitution of Alabama providing for appropriation bills.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Rep. Gafford:

H. 82. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice of a Select Committee. The Select Committee may pledge any portion of the reserve fund.

Banking.

The above bill was read a first time at length as required by the Constitution.

By Rep. Gafford:

H. 83. To amend Section 5-18-11 of the Code of Alabama 1975 relating to books, accounts and records of licensees under the Alabama Small Loan Act so as to provide further for annual reports of such licensees.

Banking.

By Rep. Stewart (With Notice and Proof):

H. 84. Relating to Mobile County; providing for an additional expense allowance for the License Commissioner.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 84, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Stewart (With Notice and Proof):

H. 85. Relating to Mobile County; to provide for the collection by the License Commissioner of a new and additional fee for Business Licenses and Professional Licenses issued by mail.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 85, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Stewart (With Notice and Proof):

H. 86. Relating to Mobile County; to provide for a new and different fee for issuing vehicle license registrations and annual validation decals by mail by the License Commissioner.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 86, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Harrison, Tucker, Jackson and Horn:

H. 87. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Judiciary.

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Hammett:

H. R. 19. COMMENDING MR. ROLAND RILEY JOHNSON FOR MERITORIOUS SERVICE WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE.

Also:

The following resolution was introduced:

By Rep. Hammett:

H. J. R. 20. COMMENDING COMMANDER DOYLE P. TAYLOR OF GANTT LAKE, COVINGTON COUNTY, ALABAMA.

WHEREAS, it is with utmost commendation that the Alabama Legislature pays tribute to DAV Commander Doyle P. Taylor of Covington County, Alabama, for his instrumentality in the passage of Public Law 97-37 which provides due and just benefits for our nation's sick and disabled war veterans and former prisoners of war; and

WHEREAS, with the passage of said legislation Doyle Taylor and a group of dedicated veterans in Covington County saw the realization of a goal set almost a decade ago, the fruition of their dedicated labors to insure medical benefits for those in our state and nation with service-related illnesses and disabilities; and

WHEREAS, Mr. Taylor and his group of fellow Covington Countians have devoted endless hours over these past ten years in helping needy veterans throughout the United States receive the financial assistance necessary for their medical problems; and

WHEREAS, in addition to such a helping hand, Commander Taylor and his dedicated group also helped to spark the interest of other DAV organizations who, along with the Andalusia DAV, brought the needs of our POWs and disabled veterans to the attention of Congress, resulting in the passage of PL 97-37; and

WHEREAS, for his efforts on behalf of his fellow American veterans, Doyle Taylor has been nominated by Chapter 41 of the DAV, Andalusia, Alabama, for "Veteran of the Year"; and

WHEREAS, thus it is to be noted that Mr. Taylor, who retired from the United States Army following a distinguished military career, has continued to serve in sacrifice for his country and fellow Americans; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend DAV Commander Doyle P. Taylor of Covington County, Alabama, for his efforts on behalf of the disabled veterans and former prisoners of war of these United States.

BE IT FURTHER RESOLVED, That Mr. Taylor receive a copy of this resolution, on behalf of DAV Chapter 41 of Andalusia, Alabama, that he and his fellow patriots may know of our deep appreciation and esteem.

On motion of Rep. Hammett, the rules were suspended and the resolution, H. J. R. 20, was adopted.

NOTICE IN WRITING FILED

Rep. Gafford filed the following Notice in Writing:

Notice is hereby given in accordance with the House Rules and Senate Rules that on the next legislative day a motion will be made to amend the Joint Rules of the two houses of the Legislature of Alabama as follows:

The following proposed rule will be inserted as Joint Rule 9A:

Rule 9A. (A) The following words and phrases, whenever used in this Rule, shall have the following respective meanings:

"Basic Appropriations" means, with respect to any regular session of the Legislature, such appropriations as the Legislature may deem appropriate for the expenditures by the State during the ensuing Budget Period for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise).

"Budget Period" means a fiscal year of the State or such period other than fiscal year as may hereafter be fixed by law as the period with respect to which State budgets are prepared and State appropriations are made.

(B) On or before the second legislative day of each regular session of the Legislature, beginning with the first regular session after January 1, 1982, the Governor is respectfully requested to transmit to the Legislature for its consideration a proposed budget for the then next ensuing Budget Period.

(C) The duty of the Legislature at any regular session to make the Basic Appropriations for any Budget Period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly, beginning with the first regular session held after January 1, 1982, no bill (other than a bill making any of the Basic Appropriations) shall be signed by either the presiding officer of the House or Senate and transmitted to the other house until bills making the Basic Appropriations for the then ensuing Budget Period shall have been signed by the presiding officer of each House of the Legislature in accordance with Section 66 of the Alabama Constitution

1st Day

and presented to the Governor in accordance with Section 125 of the Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; and provided further, that following adoption, by vote of either house of not less than three-fifths of the members elected to that house, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.

(D) Upon the signing and presentation to the Governor in accordance with the said Sections 66 and 125 of bills making the Basic Appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the House and Senate (other than bills making any part of the Basic Appropriations) shall cease to be effective and shall not be revived or become again effective as a result of (i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the Governor or the Legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the Justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

(E) The provisions of this Rule shall be null and void upon the adjournment sine die of the 1982 Regular Session of the Legislature.

ADJOURNMENT

On motion of Rep. Manley and pursuant to the resolution, H. R. 3, heretofore adopted, the House adjourned until 4:00 o'clock p.m., Wednesday, September 30, 1981.

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, September 30, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Andrew S. Turnipseed, Retired Minister, United Methodist Church, Ramer, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines,

Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 21. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That when the House adjourns today, Wednesday, September 30, 1981, that it adjourns to meet again on Thursday, October 1, 1981, at 10:00 A. M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 21, was adopted.

BILLS ON SECOND READING

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 1. (With Amendments): To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2. To repeal Sections 10-2A-260 and 10-2A-261, Code of Alabama 1975, to eliminate the filing of an annual report with the Secretary of State;

to repeal the filing fee for such annual report by amending Section 10-2A-281(20), Code of Alabama 1975; and to require more comprehensive information to be given on the permit application filed with the Department of Revenue under Sections 40-14-21 and 40-14-22, Code of Alabama 1975.

Rep. Gafford, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 82. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice of a Select Committee. The Select Committee may pledge any portion of the reserve fund.

The above bill was read a second time at length as required by the Constitution.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 49. (With Substitute): To amend Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to correct typographical errors and to add an appropriation for the Board of Polygraph Examiners and to make further appropriations of State Funds for the Fiscal Year ending September 30, 1982.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 10. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame Board so as to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

H. 14. To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61(c), Code of Alabama 1975, as amended on the storage, use or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981, for storage, use or other consumption in this state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on

taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

H. 46. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

H. 47. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

H. 48. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

H. 50. To amend further Section 40-12-414 and Section 40-12-421, Code of Alabama 1975, which regulates and licenses automotive dismantlers and parts recyclers, so as to provide further for said regulation and licensing.

H. 60. To amend § 16-13-71 of the Code of Alabama 1975, as amended, so as to provide that warrants issued by city or county boards of education pursuant to the provisions of Article 4 of Chapter 13 of Title 16 of said Code may bear interest at a rate or rates not exceeding 14% per annum and may be sold at a price yielding not exceeding 14%.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 76. (With Substitute): To amend Section 12-17-110, Code of Alabama 1975, providing for the re-appointment and removal of circuit court registers, so as to provide for an extension of not more than six years upon the re-appointment of a circuit court register who otherwise would be eligible to retire, and providing limitations on the salary of same.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 30. To amend Section 16-13-211 of the Code of Alabama 1975 so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

H. 8. To exempt Birmingham Football Foundation, Inc., Birmingham, Alabama, from the payment of state, county or municipal sales or use taxes.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 3. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

H. 4. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

H. 5. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

H. 27. To prescribe that no more than one commercial hazardous waste site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste site.

H. 42. To amend Section 26-7-2, Code of Alabama 1975, which relates to the payment of certain funds owed to minors or persons of unsound mind to the probate judge, so as to provide further for the amount of such funds.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 79. (With Amendment): To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 81. (With Substitute): Proposing an amendment to the Constitution of Alabama providing for appropriation bills.

The above bill was read a second time at length as required by the Constitution.

Rep. Kelley, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 37. (With Substitute): To define the criminal offense of illegal possession of food stamps; to classify the degrees of such offense; and to prescribe punishment for the commission of such offense.

Rep. Carothers, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 45. To amend Section 6-5-33, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

H. 57. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Rep. Gafford, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 83. To amend Section 5-18-11 of the Code of Alabama 1975 relating to books, accounts and records of licensees under the Alabama Small Loan Act so as to provide further for annual reports of such licensees.

Rep. Cabaniss, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 31. (With Amendments): To amend Section 32-7-5 and 32-7-6, Code of Alabama 1975, commonly known as the Motor Vehicle Safety Responsibility Act, so as to increase the security required, and to increase the amount of property damage which must be sustained to require an accident report be filed.

Rep. Smith (C), Vice Chairman of the Standing Committee on Agriculture and Forestry, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 56. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

Rep. Harper (T), Vice Chairman of the Standing Committee on Natural Resources, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 36. To validate, in certain cases, port authorities attempted to be incorporated under the provisions of Act No. 80-647 adopted at the 1980 Regular Session of the Legislature of Alabama (Sections 11-94-1 et seq. of the Code of Alabama 1975, as amended) and invalid because of any irregularity in the procedure for incorporation.

Rep. Venable, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 74. To amend Code of Alabama 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomination, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

H. 73. To amend Section 17-9-33, Code of Alabama 1975, which provides for the canvassing of votes and the proclamation of election results, so as to allow non-carbonized paper to be used on the statements of canvass.

H. 32. To amend Sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 58. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

H. 69. To confer the power to grant franchises upon the County Commissions of the several counties in this state in relation to the operation of community antenna television facilities; to empower the said County Commissions to set up reasonable rules and regulations governing the exercise of rights granted by the said franchises; to grant franchises and regulate such franchises in certain counties; to authorize and empower the said County Commissions to levy a license tax and fix the amount of said tax on the business performed under said franchise.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 6. To provide further for the 17th Judicial Circuit; to provide for an expense allowance for the district court judges of the 17th Judicial Circuit to be paid by the counties comprising the circuit; to repeal conflicting laws; to specifically repeal Act No. 1703, H. 2502 of the 1971 Regular Session (Acts 1971, p. 2862), and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), both as last amended, establishing the Sumter County Court of Record, so as to abolish such court.

H. 13. Relating to the City of Valley in Chambers County; to provide further for the police jurisdiction.

H. 16. To amend Sections 2, 3, and 6 of Act No. 80-780, S. 569, 1980 Regular Session (Acts 1980, p. 1615), relating to the levying of court costs in Tuscaloosa County, so as to provide further for the use of such court costs and to delete the provision placing a ceiling on the amount which may be collected as well as the provision requiring the creation of an additional district judgeship.

H. 17. Relating to Tuscaloosa County; providing further for the compensation of the Tuscaloosa County Commission, except for the probate judge.

H. 18. Relating to Tuscaloosa County; providing further for the compensation of the mayor and associate commissioners.

H. 23. Relating to Greene County; exempting new or expanding industry in the county from the payment of county and municipal sales and use taxes.

H. 24. To give the county commission of Green County the authority to increase certain clerk hire allowances and to provide for the purchase of certain office equipment.

H. 25. Relating to Greene County; to further provide for the per diem of members of the County Board of Equalization.

H. 28. To provide for a certain increase in court costs in the Choctaw County division of the First Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Choctaw County.

H. 38. Relating to Cullman County; amending Section 1 of Act No. 711, H. 1109 of the 1976 Regular Session (Acts 1976, p. 991), relating to costs and charges in criminal cases, so as to further define such costs shall apply in municipal as well as other courts in the county and circuit, and to further prescribe the amount and expenditure of said costs.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 40. (With Amendment): Relating to Clarke County; amending Section 2 and repealing Section 3 of Act No. 446, H. 244, Regular Session 1975 (Acts of Alabama 1975, p. 1068), which act provides a clerk-hire allowance for the tax assessor and the tax collector, so as to change the manner of payment of such clerks.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 41. Relating to Morgan County; permitting banks now or hereafter situated in Morgan County to establish, maintain or operate branch banks and branch offices within the corporate limits of Priceville, Alabama, for the conduct of a general banking and trust business.

H. 55. Relating to Conecuh County; providing an additional clerk-hire allowance for the tax collector and specifically repealing Act No. 471, H. 1265 of the 1975 Regular Session of the Legislature (Acts 1975, p. 1095) and Act No. 79-648 of the 1979 Regular Session of the Legislature (Acts 1979, p. 1128) and all other laws in conflict herewith.

H. 61. Relating to the fourteenth judicial circuit; regulating certain salary increases for certain personnel in the district attorney's office.

H. 62. Relating to Walker County; providing further for the compensation of the clerk of the jury commission.

H. 63. To amend Section 2 of Act No. 464, H. 1238 of the 1977 Regular Session of the Legislature (Acts 1977, p. 603) relating to the salary of the investigator for the district attorney's office in the fourteenth judicial circuit so as to provide further for such salary.

H. 64. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 65. (With Amendment): Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 66. To authorize the Etowah County governing body to levy and collect, in addition to all other taxes heretofore imposed by law, a county excise and privilege tax on every person severing coal within the county; to provide that the proceeds collected therefrom be deposited in the county general fund; to authorize the county governing body to inspect the books of each person severing coal and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; and to prescribe penalties for the violations of the provisions of this Act.

H. 67. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson's Gap in said county.

H. 70. To alter, rearrange and extend the boundary lines and corporate limits of the town of Fort Deposit in Lowndes County.

H. 75. Relating to Elmore County; to amend Section 5 of Act No. 983, H. 1019, Regular Session 1971, (Acts 1971, p. 1755) relating to the taxation of certain alcoholic beverages in said county, so as to provide further for such tax, and to provide for retroactive effect.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 7. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

H. 9. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

H. 11. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

H. 12. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

H. 19. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 33. Relating to Cleburne County; providing further for the treating, depositing, dumping, the site or transporting of industrial waste in the county; creating the Cleburne County Industrial Waste Committee and providing for the composition of such committee, the selection of the membership, terms of office, powers and duties; providing for meetings and transaction of business; prescribing public hearings on all proposed activities and sites for such wastes and recommendation therefor by the committee to the appropriate state agencies; and specifically providing that no provision of this act shall be construed to amend or repeal any general law relating to regulating hazardous or solid wastes.

RESOLUTION

The following resolution was introduced:

By Rep. Smith (C):

H. J. R. 22. CONGRATULATING THE CITY OF CLANTON ON THE CENTENNIAL OF ITS FOUNDING.

WHEREAS, the Legislature of the State of Alabama sends greetings and heartiest congratulations to the City of Clanton on the 100th Anniversary of its founding; and

WHEREAS, the city's Centennial Celebration is an auspicious event in which sister cities, statewide, share great pride in the progress and growth of Clanton over the past one hundred years; and

WHEREAS, the entire week of October 4-10, 1981, has been set aside as a gala of planned events for the participation and pleasure of the entire citizenry; and

WHEREAS, from Sunday, October 4th, with religious observances in the Churches of Clanton, to Saturday night, October 10th, at the Centennial Ball, the residents of Clanton, young and old, will enjoy parades, tours, street dances, barbeques and many other special 100th Birthday events; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That on behalf of all citizens of Alabama, we hereby extend warm congratulations to Mayor F. Basil Clark and Messrs. Willie T. Johnson, Billy Joe Driver, Denver D. Walker, Robert M. Martin and Robert K. Easterling, members of the Clanton City Council and to the "good people of Clanton" on the 100th Anniversary of their city's founding.

BE IT FURTHER RESOLVED, That a copy of this resolution be prepared for presentation during the Centennial Celebration of Clanton, Alabama.

On motion of Rep. Smith (C), the rules were suspended and the resolution, H. J. R. 22, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Cheatwood (With Notice and Proof):

H. 88. To repeal Act No. 993, H. 1089, Regular Session 1971 (Acts 1971, p. 1787), as amended, which provides for the creation of public transit authorities in counties having populations of 600,000 or more according to the 1970 or any subsequent federal decennial census; and to repeal Act No. 232, H. 502, Regular Session 1977 (Acts 1977, p. 305), which provides for the funding of mass public transit systems in such counties.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 88, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Owens, McCorquodale and Manley:

H. 89. To allow funds appropriated to agencies funded from the Alabama Special Educational Trust Fund which were withheld due to anticipated proration during the 1980-81 fiscal year to be expended by said agencies in the 1981-82 fiscal year.

Ways and Means.

By Rep. Owens:

H. 90. To amend Section 36-26-5, Code of Alabama 1975, relating to the state personnel board, so as to change the composition of said board.

Ways and Means.

By Rep. Harvey (With Notice and Proof):

H. 91. Relating to Etowah County; to provide that the County Board of Education shall have the power to borrow against revenues derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow: to provide for the payment of any outstanding indebtedness should the voters of Etowah County, at any time in the future, vote to prohibit legal sale of alcoholic beverages; to provide that all laws in conflict are hereby repealed and its becoming effective upon its signing by the Governor or it otherwise becoming law.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. 91, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Holmes, Manley, Buskey, Clark (W), Sandusky, Turner, Clark (G), Johnson (Roy), Horn, Waggoner, Gilmer, Minus, Trammell and Bennett:

H. 92. To make a conditional appropriation from the state treasury to Alabama State University for instructional purposes.

Ways and Means.

By Reps. Parker, Turnham, McMillan and Stewart:

H. 93. To amend Title 16, Section 13, Subsection 1 of the Code of Alabama, 1975 so as to change the fiscal year for all boards of education.

Education.

By Reps. Ray, Grimsley and Sasser (With Notice and Proof):

H. 94. Relating to Barbour County; providing for a salary supplement for the district attorney.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. 94, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Dial, Manley, Crow and Ford:

H. 95. To prescribe that all public school systems shall allow official recruiting representatives of the armed or military forces of the United States or of the state reasonable access to their facilities and students for the

purpose of presenting recruiting programs, administering tests, and generally informing students on occupational and educational options.

Military Affairs.

By Reps. Bedsole and Harper (T) (With Notice and Proof):

H. 96. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 96, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Penry:

H. 97. To eliminate the permit application and fee for domestic and foreign corporations under Sections 40-14-21 and 40-14-22 Code of Alabama 1975, and to amend section 10-2A-282(a)(20) Code of Alabama, 1975 to increase the annual report fee from five to twenty five dollars.

Ways and Means.

By Rep. Penry:

H. 98. To make a supplemental appropriation from the general fund in the state treasury to the Office of Secretary of State, for the current fiscal year and for the fiscal year ending September 30, 1982.

Ways and Means.

By Rep. Penry:

H. 99. To make a conditional supplemental appropriation to the Office of Secretary of State for the fiscal year ending September 30, 1982.

Ways and Means.

RESOLUTIONS

The following resolution was introduced:

By Rep. Turnham:

H. R. 23. REQUESTING AN ADVISORY OPINION OF THE SUPREME COURT RELATIVE TO H. B. 81 OF THE 1981 SECOND SPECIAL SESSION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That we do respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give this body their written opinion on the following constitutional question which has arisen concerning the pending H. B. 81, which bill was introduced to propose a constitutional amendment to provide for making appropriations and time frame therefor and substituted with a bill making appropriations and time frame therefor statutory, copies of which are attached hereto and made a part hereof by reference:

1. Does the House substitution providing for making appropriations and time frame therefor by statute to pending House Bill 81 which proposed a constitutional amendment for making appropriations and time frame therefor violate the provisions of Section 61 of the Constitution of 1901, which provides:

"No law shall be passed by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose."?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send sufficient true copies of the pending H. B. 81, with attachments, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Rep. Turnham, the rules were suspended and the resolution, H. R. 23, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Gilmer:

H. R. 24. HONORING MR. THOMAS HANKINS OF LAMAR COUNTY, ALABAMA, UPON THE OCCASION OF HIS 97TH BIRTHDAY.

Also:

The following resolution was introduced:

By Reps. Blake, Shoemaker, Moore and Smith (C):

H. J. R. 25. MOURNING THE DEATH OF MR. ROY T. GIBSON, PROMINENT ST. CLAIR COUNTIAN AND EDUCATOR.

WHEREAS, the Alabama Legislature has been deeply saddened by the death of Mr. Roy T. Gibson on August 4, 1981; and

WHEREAS, Mr. Roy T. Gibson, beloved resident of St. Clair County, dedicated himself to the educational needs of St. Clair County for over forty years, having served as teacher, principal and superintendent of education in the schools of St. Clair County from 1915 to 1955; and

WHEREAS, Mr. Roy T. Gibson also taught with distinction at Jacksonville State University; and

WHEREAS, Mr. Roy T. Gibson, was a pioneer in educational excellence in the State of Alabama, leading the movement of consolidating over 100 one and two-room school houses into the model of school districts today; and

WHEREAS, our friend Mr. Roy T. Gibson, brought great esteem and admiration to himself because of his hallmark of excellence in all endeavors; and

WHEREAS, in molding the characters and leadership qualities in hundreds of our youth, the exemplary life and philosophy of Roy T. Gibson were imprinted on them, the faculty, friends and community as well; and

WHEREAS, Mr. Roy T. Gibson, a beloved community leader and prominent educator, served with sacrifice for the good of St. Clair County and all its citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mr. Roy T. Gibson of St. Clair County and we do extend our heartfelt sympathy to his wife, Mrs. Vera B. Gibson, to whom a copy of this resolution shall be sent as evidence of our shared grief in her tremendous loss.

On motion of Rep. Blake, the rules were suspended and the resolution, H. J. R. 25, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

S. J. R. 2. DESIGNATING OCTOBER 10, 1981, AS "WILLIAM LEE GOLDEN DAY" IN ALABAMA.

On motion of Rep. Biddle, the resolution, S. J. R. 2, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 4. CONGRATULATING DR. RICHARD O. RUTLAND, JR., OF FAYETTE, THE "FAMILY DOCTOR OF THE YEAR".

Also: .

H. J. R. 10. CONGRATULATING AND COMMENDING THE OWNERS OF THE BEAUTIFUL NEW SHERATON RIVERFRONT STATION IN MONTGOMERY, ALABAMA.

On motion of Rep. Biddle, the resolutions, S. J. R. 4 and H. J. R. 10, were adopted.

H. 34 RE-REFERRED

At the request of Rep. Jackson, the Speaker re-referred the bill, H. 34, from the Standing Committee on Ways and Means to the Standing Committee on Local Legislation No. 2.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Biddle:

H. J. R. 26. PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in addition to any and all other powers, duties and authority heretofore provided by law, the continuing interim committee to oversee and monitor the state telephone system, created by Act No. 81-930, H. J. R. 53, 1981 First Special Session, the committee shall have the authority to inspect and check into any surveillance or

eavesdropping of any nature whatsoever affecting or potentially affecting the operation of state government, state officials or state employees.

On motion of Rep. Biddle, the rules were suspended and the resolution, H. J. R. 26, was adopted.

Also:

By Rep. Zoghby:

H. J. R. 27. HONORING MR. F. M. "PHIL" REYES AS THE 1981 SENIOR CITIZEN OF THE YEAR OF THE MOBILE SENIOR CITIZENS SERVICES.

WHEREAS, it is with pleased concurrence that the Alabama Legislature notes the selection of Mr. F. M. "Phil" Reyes as the 1981 Senior Citizen of the Year by the Mobile Senior Citizens Services; and

WHEREAS, Mr. Reyes, who is now serving his third term as President of Chapter 1734 of the American Association of Retired Persons, devotes untold hours of his time as a volunteer for community programs and projects for the benefit of others; and

WHEREAS, included among such activities has been regular patrol duty in his neighborhood for the Dauphin Way Neighborhood Community Watch as well as participation in fund-raising campaigns for the March of Dimes; and

WHEREAS, Mr. Reyes, as a member of the Rotary Club, has also walked the full distance of that organization's annual Walkathon and was presented an award for his voluntary work at the Rotary Rehabilitation Center; and

WHEREAS, he further is a loyal and dedicated Mason, serving as a member of the Board of Trustees of three Masonic organizations, and is advisor emeritus of the Filipino-American Association of Greater Mobile, as well as a National Sojourner who has donated American flags that have flown over our nation's Capitol to various civic, fraternal and religious groups; and

WHEREAS, Mr. Reyes' activities extend to include involvement with the Association of Retired Members of his seamen's union, an organization which he co-founded and through which he has championed increased and improved pension benefits; and

WHEREAS, another signal honor accorded Mr. Phil Reyes was his designation as Senior Chairman for Alabama by the Reagan-Bush Presidential Campaign Committee; he then attended, by invitation, the inauguration and related events in Washington, D. C.; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Phil Reyes of Mobile, Alabama, as Senior Citizen of the Year for 1981 and as a remarkable individual who yet continues a lifetime of care and concern in volunteer service to others.

BE IT FURTHER RESOLVED, That Mr. Reyes receive a copy of this resolution evidencing our sincere praise, appreciation and high regard.

On motion of Rep. Zoghby, the rules were suspended and the resolution, H. J. R. 27, was adopted.

Also:

By Rep. Hines:

H. J. R. 28. DESIGNATING OCTOBER 10, 1981, AS "WILLIAM LEE GOLDEN DAY" IN ALABAMA.

WHEREAS, Brewton, Alabama, is the hometown of William Lee Golden, one of the famous "Oak Ridge Boys," whose recordings consistently rank at the top of the charts; and

WHEREAS, along with his fellow "Oak Ridge Boys," Joe Bonsall, Richard Sterban and Duane Allen, Bill Golden will be in Brewton on October 10, 1981, to hold a "Harvest Jam" concert; and

WHEREAS, it is to be noted that Governor Fob James has proclaimed that date as "William Lee Golden Day" in Alabama, an honorary designation in appreciation of the fame and honor brought to our State by a distinguished native son; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in pleased accord with said proclamation, we hereby further designate October 10, 1981, as "William Lee Golden Day" in Alabama and direct that copies of this resolution be presented to William Lee Golden and to his father, Luke Golden, as a memento of the occasion and in token of our warm praise and regard.

On motion of Rep. Hines, the rules were suspended and the resolution, H. J. R. 28, was adopted.

ADJOURNMENT

On motion of Rep. Hammett and pursuant to the resolution, H. R. 21, heretofore adopted, the House adjourned until 10:00 a.m. Thursday, October 1, 1981.

THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, October 1, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. James B. Sexton, Pastor, Bethel Baptist Church, Fort Deposit, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb,

Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT ON STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

LEAVE OF ABSENCE

At the request of Rep. Starkey, leave of absence was granted for Rep. Coburn, due to illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 11. HONORING DR. AUBREY R. McVAY UPON HIS RETIREMENT AS SUPERINTENDENT OF THE BALDWIN COUNTY SCHOOLS.

Also:

H. J. R. 12. COMMENDING MRS. CATHERINE BARRETT OF FAIRHOPE, ALABAMA, 1981 "COUNSELOR OF THE YEAR".

Also:

H. J. R. 13. HONORING MR. JOEL THOMPSON UPON HIS RETIREMENT AS CLEBURNE COUNTY EXTENSION AGENT.

Also:

H. J. R. 14. MOURNING THE DEATH OF FORMER MONROE COUNTY PROBATE JUDGE DAVID MILLER NETTLES.

Also:

H. J. R. 2. SETTING MEETING DAYS OF THE LEGISLATURE.

Also:

H. J. R. 7. COMMENDING THE MacMILLAN BLOEDEL COMPANY OF PINE HILL, WILCOX COUNTY, ALABAMA.

Also:

H. J. R. 15. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT A NATIONAL STRATEGY OF PEACE THROUGH STRENGTH.

Also:

H. J. R. 16. NAMING THE BRIDGE ON ALABAMA HIGHWAY 39 WHICH SPANS THE TOMBIGBEE RIVER AT GAINESVILLE, ALABAMA, CONNECTING SUMTER AND GREENE COUNTIES, "THE BARNES ADUSTON ROGERS BRIDGE".

Also:

H. J. R. 18. DESIGNATING THE WEEK OF OCTOBER 19-25, 1981 AS "CALHOUN COUNTY INDUSTRY WEEK".

Also:

H. J. R. 20. COMMENDING COMMANDER DOYLE P. TAYLOR OF GANTT LAKE, COVINGTON COUNTY, ALABAMA.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 29. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That when the House adjourns today, Thursday, October 1, 1981, they adjourn to meet again on Tuesday, October 6, 1981, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 29, was adopted.

BILLS ON SECOND READING

Rep. Ford, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 95. To prescribe that all public school systems shall allow official recruiting representatives of the armed or military forces of the United States or of the state reasonable access to their facilities and students for the purpose of presenting recruiting programs, administering tests, and generally informing students on occupational and educational options.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 59. Relating to the twelfth judicial circuit; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

H. 71. Relating to the Thirty-seventh Judicial Circuit, to change the present jury strike system to a one strike system in trials by jury for misdemeanors or felonies, or upon appeals to the circuit courts from lower courts.

H. 94. Relating to Barbour County; providing for a salary supplement for the district attorney.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Escott (With Notice and Proof):

H. 100. To provide funds to the Birmingham-Jefferson Transit Authority, or such other public transit authority as may be organized under the provisions of Act 993 of the 1971 Regular Session of the Legislature of Alabama, by requiring Jefferson County and certain municipalities situated therein to pay to the said Transit Authority certain percentages of the first one cent per dollar of sales tax and use tax collected by said county and municipalities in which public transit service shall be provided by such Authority, to be used by said Authority for the providing of facilities and equipment, for the paying of debts and expenses incurred in connection with or related to its providing of such public transit services, to provide for payments by municipalities having no sales or use tax, to authorize and provide for public transit service in municipalities affected by the Act, to make this Act cumulative to other provisions for funding public transit services, and to provide for the severability of invalid or unenforceable provisions of the Act.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 100, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Sandusky and Zoghby:

H. 101. To authorize local boards of education to appoint an individual in the personnel department to accept resignations of employees.

Education.

By Reps. Sandusky and Zoghby:

H. 102. To Amend Title 16, Section 24, Sub-Section 5, of the Code of Alabama, 1975 so as to provide further for the transfer of teachers.

Education.

By Rep. Sandusky:

H. 103. To amend Title 16, Section 13, Subsection 52 of the Code of Alabama 1975, so as to determine teacher units on the basis of "Average Daily Membership".

Education.

By Reps. Sandusky and Zoghby:

H. 104. To provide for the payment of funds by the State Department of Education to the respective local boards of education.

Education.

By Rep. Sandusky (With Notice and Proof):

H. 105. To provide a hearing committee for school boards for the purpose of hearing contested contract cancellations of teachers on continuing service status in certain counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census in the State of Alabama.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 105, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Venable:

H. 106. To provide that any state employee who received a step increase limited under the provisions of Act 80-616, Regular Session 1980, shall be brought up to the normal step under the State Pay Plan.

Ways and Means.

By Rep. Dixon:

H. 107. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit charitable organizations in Montgomery County.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Reps. Lewis, Amari, Waggoner and Jackson:

H. 108. To provide the procedure for employees of district attorneys who have previously been members of local retirement systems and who join the state personnel system to elect to retain membership in the local retirement plan or receive credit in the state employees' retirement system for prior service under the local retirement plan.

Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. deGraffenried and Robertson:

S. J. R. 13. MOURNING THE DEATH OF COACH PAUL F. BURNUM OF TUSCALOOSA, ALABAMA.

Also:

By Messrs. deGraffenried and Robertson:

S. J. R. 14. COMMENDING MISS JOANNE HENDERSON DONALDSON, MISS ALABAMA USA FOR 1981.

Also:

By Mr. Miller:

S. J. R. 15. MOURNING THE RECENT DEATH OF MR. CHARLES RALPH PAUL OF GENEVA, ALABAMA.

Also:

By Mr. Miller:

S. J. R. 16. MOURNING THE DEATH OF MR. CHARLES COE OF SLOCOMB, ALABAMA.

Also:

By Mr. Gulledge:

S. J. R. 17. CONGRATULATING RIVIERA UTILITIES, FOLEY, ALABAMA, ON THE OPERATION OF ITS AWARD-WINNING WATER AND WASTEWATER DEPARTMENTS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 13 and S. J. R. 14, the titles of which are set out in the above and foregoing Message from the Senate.

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 15, S. J. R. 16, and S. J. R. 17, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

And the bill:

H. 6. To provide further for the 17th Judicial Circuit; to provide for an expense allowance for the district court judges of the 17th Judicial Circuit to be paid by the counties comprising the circuit; to repeal conflicting laws; to specifically repeal Act No. 1703, H. 2502 of the 1971 Regular Session (Acts 1971, p. 2862), and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), both as last amended, establishing the Sumter County Court of Record, so as to abolish such court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Carothers, Cates, Cheatwood, Clark (G), Cosby, Dial, Edwards, Grimsley, Hall, Hammett, Harper (O), Hines, Johnson (Roy), McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Pegues, Penry, Ray, Shoemaker, Smith (J), Trammell, Venable, Ward, Whatley and Willis.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 13. Relating to the City of Valley in Chambers County; to provide further for the police jurisdiction.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Cates, Cosby, Daniels, Edwards, Gafford, Gilmer, Grimsley, Hall, Hammett, Harper (O), Hines, Johnson (Roy), Kelley, Laird, McMillan, Mitchell, Moore, Naramore, Olive, Parker, Pegues, Penry, Ray, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Trammell, Venable, Ward, Whatley and Willis.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 16. To amend Sections 2, 3, and 6 of Act No. 80-780, S. 569, 1980 Regular Session (Acts 1980, p. 1615), relating to the levying of court costs in Tuscaloosa County, so as to provide further for the use of such court costs and to delete the provision placing a ceiling on the amount which may be collected as well as the provision requiring the creation of an additional district judgeship.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bennett, Biddle, Brakefield, Cabaniss, Carothers, Cates, Clark (W), Cobb, Cosby, Daniels, Drinkard,

Edwards, Gafford, Grimsley, Hall, Hammett, Harper (O), Hines, Johnson (Roy), McMillan, Mitchell, Moore, Naramore, Owens, Pegues, Penry, Ray, Reed, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Trammell, Venable, Ward, Warren, Whatley and Willis.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 17. Relating to Tuscaloosa County; providing further for the compensation of the Tuscaloosa County Commission, except for the probate judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bennett, Biddle, Brakefield, Cabaniss, Cates, Cosby, Daniels, Drinkard, Edwards, Gafford, Grimsley, Hall, Hammett, Harper (O), Hines, Howard, Johnson (Roy), Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Ray, Roberts, Seibels, Smith (C), Smith (J), Trammell, Waggoner, Ward, Whatley, Willis and Wyatt.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 18. Relating to Tuscaloosa County; providing further for the compensation of the mayor and associate commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Buskey, Cabaniss, Carothers, Cates, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Drinkard, Edwards, Ford, Gafford, Grimsley, Hall, Hammett, Harper (O), Hines, Howard, Johnson (Roy), Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Roberts, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Ward, Warren, Willis and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. 23 POSTPONED

On motion of Rep. Clark (G), the bill, H. 23, was postponed to the fourth legislative day.

And the bill:

H. 24. To give the county commission of Greene County the authority to increase certain clerk hire allowances and to provide for the purchase of certain office equipment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Clark (G), Clark (W), Daniels, Drinkard, Edwards, Gafford, Gilmer, Grimsley, Hall, Hammett, Harper (O), Harper (T), Hines, Langford, Lewis, McMillan, Manley, Mitchell, Moore, Naramore, Owens, Ray, Reed, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—53

And the bill:

H. 25. Relating to Greene County; to further provide for the per diem of members of the County Board of Equalization.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Daniels, Drinkard, Edwards, Grimsley, Hall, Hammett, Harper (O), Harper (T), Hines, Johnson (Roy), Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Ray, Reed, Roberts, Seibels, Shavers, Shoemaker, Smith (J), Trammell, Venable, Waggoner, Ward, Whatley, Williams, Willis and Wyatt.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 28. To provide for a certain increase in court costs in the Choctaw County division of the First Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Choctaw County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carter, Cates, Clark (G), Clark (W), Cobb, Daniels, Dixon, Drinkard, Edwards, Gafford, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Hines, Langford, Lewis, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Pegues, Ray, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—55

And the bill:

H. 38. Relating to Cullman County; amending Section 1 of Act No. 711, H. 1109 of the 1976 Regular Session (Acts 1976, p. 991), relating to costs and charges in criminal cases, so as to further define such costs shall apply in municipal as well as other courts in the county and circuit, and to further prescribe the amount and expenditure of said costs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carter, Cates, Clark (G), Clark (W), Cobb, Cooley, Cosby, Daniels, Drinkard, Edwards, Ford, Gafford, Hammett, Harper (O), Harper (T), Langford, Lewis, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Ray, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

CO-SPONSOR ADDED

Rep. Cooley was added as co-sponsor to the bill, H. 38.

And the bill:

H. 40. (With Amendment): Relating to Clarke County; amending Section 2 and repealing Section 3 of Act No. 446, H. 244, Regular Session 1975 (Acts of Alabama 1975, p. 1068), which act provides a clerk-hire allowance for the tax assessor and the tax collector, so as to change the manner of payment of such clerks.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. 40 as follows:

On page one, in line 17 delete the words "and the tax collector" and on line 18 delete the word "clerks" and insert in lieu thereof the word: clerk

On page one in Section 2, in line 23 delete the words "and the tax collector" and in line 24 delete the word "each" and in lines 26 and 27 delete the words "and the tax collector" and in line 28 delete the words "in their respective offices"

And the amendment was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carter, Clark (G), Clark (W), Cobb, Daniels, Drinkard, Edwards, Gafford, Gilmer, Grimsley, Hammett, Harper (O), Harper (T), Horn, Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Ray, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 40. Relating to Clarke County; amending Section 2 and repealing Section 3 of Act No. 446, H. 244, Regular Session 1975 (Acts of Alabama 1975, p. 1068), which act provides a clerk-hire allowance for the tax assessor, so as to change the manner of payment of such clerk.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carter, Cates, Clark (G), Cobb, Cosby, Daniels, Drinkard, Edwards, Gafford, Gilmer, Grimsley, Hammett, Harper (O),

Harper (T), Johnson (Roy), Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Ray, Reed, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Venable, Ward, Warren, Williams, Willis and Wyatt.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 41. Relating to Morgan County; permitting banks now or hereafter situated in Morgan County to establish, maintain or operate branch banks and branch offices within the corporate limits of Priceville, Alabama, for the conduct of a general banking and trust business.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (W), Cobb, Cooley, Daniels, Dial, Drinkard, Edwards, Ford, Gafford, Gilmer, Grimsley, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Johnson (Roy), Langford, Lewis, Mitchell, Moore, Naramore, Olive, Owens, Ray, Reed, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Venable, Warren, Whatley, Williams, Willis and Wyatt.

—57

And the bill:

H. 55. Relating to Conecuh County; providing an additional clerk-hire allowance for the tax collector and specifically repealing Act No. 471, H. 1265 of the 1975 Regular Session of the Legislature (Acts 1975, p. 1095) and Act No. 79-648 of the 1979 Regular Session of the Legislature (Acts 1979, p. 1128) and all other laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carter, Cates, Clark (G), Clark (W), Cobb, Crow, Daniels, Dixon, Edwards, Ford, Gafford, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Kennedy, Langford, Lewis, Mitchell, Moore, Naramore, Olive, Owens, Ray, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Turnham, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—55

And the bill:

H. 61. Relating to the fourteenth judicial circuit; regulating certain salary increases for certain personnel in the district attorney's office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carter, Clark (G), Clark (W), Cobb, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Grimsley, Grouby, Harper (O), Harper (T), Higginbotham, Johnson (Roy), Kennedy, Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Ray, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Ward, Whatley, Williams, Willis and Wyatt.

—58

And the bill:

H. 62. Relating to Walker County; providing further for the compensation of the clerk of the jury commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bennett, Biddle, Blake, Brakefield, Cabaniss, Carter, Clark (G), Cobb, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gafford, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Hines, Kennedy, Langford, Lewis, Mitchell, Moore, Naramore, Olive, Pegues, Ray, Reed, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turner, Turnham, Venable, Ward, Whatley, Williams, Willis and Wyatt.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 63. To amend Section 2 of Act No. 464, H. 1238 of the 1977 Regular Session of the Legislature (Acts 1977, p. 603) relating to the salary of the investigator for the district attorney's office in the fourteenth judicial circuit so as to provide further for such salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (G), Clark (W), Cobb, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gafford, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Kennedy, Langford, Lewis, Manley, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Ray, Reed, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Whatley, Williams, Willis and Wyatt.

—59

H. 64 TEMPORARILY POSTPONED

On motion of Rep. Reed, the bill, H. 64, was temporarily postponed.

And the bill:

II. 65. (With Amendment): Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

AMENDMENT TO H. B. 65

On line 34, page 19, insert the new Section 13, below, and renumber the present Section 13 to Section 14.

Section 13. Effective date of tax levy herein authorized. If the governing body of the County elects to levy or impose any of the taxes herein authorized to be levied and imposed, it shall specify, as the effective date of such levy, the first day of any calendar month which is at least thirty (30) calendar days after the date of such levy.

And the amendment was adopted.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carter, Clark (G), Clark (W), Cobb, Crow, Daniels, Drinkard, Edwards, Ford, Gafford, Gilmer, Grimsley, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Kennedy, Langford, Lewis,

Mitchell, Moore, Naramore, Olive, Owens, Ray, Roberts, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Turner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 65, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Bowling, Brakefield, Cabaniss, Carter, Cates, Clark (G), Clark (W), Cobb, Crow, Daniels, Dial, Drinkard, Edwards, Ford, Gilmer, Grimsley, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Kennedy, Langford, Lewis, Mitchell, Naramore, Owens, Ray, Reed, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Turner, Ward, Whatley, Williams, Willis and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 66. To authorize the Etowah County governing body to levy and collect, in addition to all other taxes heretofore imposed by law, a county excise and privilege tax on every person severing coal within the county; to provide that the proceeds collected therefrom be deposited in the county general fund; to authorize the county governing body to inspect the books of each person severing coal and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; and to prescribe penalties for the violations of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 1.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carothers, Carter, Clark (G), Cobb, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gafford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Kennedy, Langford, Lewis, Manley, Mitchell, Moore, Naramore, Olive, Owens, Ray, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Turner, Venable, Ward, Whatley, Williams, Willis, Wyatt and Zoghby.

—55

Nay: Rep. Grouby.

—1

And the bill:

H. 67. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of Jacksons' Gap in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Crow, Daniels, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Kennedy, Langford, Lewis, McMillan, Mitchell, Moore, Naramore, Owens, Ray, Roberts, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—57

And the bill:

H. 70. To alter, rearrange and extend the boundary lines and corporate limits of the town of Fort Deposit in Lowndes County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 1.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Crow, Daniels, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Horn, Langford, Lewis, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Ray, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—58

Nay: Rep. Dixon.

—1

And the bill:

H. 75. Relating to Elmore County; to amend section 5 of Act No. 983, H. 1019, Regular Session 1971, (Acts 1971, p. 1755) relating to the taxation of certain alcoholic beverages in said county, so as to provide further for such tax, and to provide for retroactive effect.

Was taken up.

AMENDMENT OFFERED

Rep. Venable offered the following amendment to the bill, H. 75:

On page 2, after line 14, insert the following language:

Any and all surplus funds collected under the provisions of this Act shall be transferred to the county general fund as of February 1, 1981.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carter, Cates, Clark (G), Cobb, Crow, Daniels, Ford, Gafford, Gilmer, Goodwin, Grimsley, Hall, Hammett, Harper (O), Hines, Kennedy, Langford, Lewis, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Ray, Sasser, Smith (C), Smith (J), Starkey, Trammell, Venable, Waggoner, Whatley, Willis, Wyatt and Zoghby.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 75, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carter, Cates, Clark (G), Cobb, Crow, Daniels, Gafford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Harper (T), Hines, Kennedy, McMillan, Moore, Naramore, Olive, Owens, Ray, Sasser, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Warren, Whatley, Williams, Willis and Wyatt.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, H. 7, was lost, lacking a four-fifths vote.

Yeas 14; Nays 4.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Cheatwood, Gafford, Harrison, Lewis, Moore, Olive, Seibels, Trammell, Waggoner and Warren.

—14

Nays: Reps. Escott, Horn, Jackson and Tucker.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Howard, the rules were suspended in order to take up out of order the bill, H. 19.

Yeas 15; Nays 2.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Gafford, Howard, Lewis, Moore, Olive, Payne, Pegues, Seibels, Trammel and Waggoner.

—15

Nays: Reps. Escott and Horn.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 19. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 16; Nays 0.

Yeas:

Reps. Albright, Amari, Bennett, Biddle, Boles, Cabaniss, Escott, Gafford, Howard, Lewis, Moore, Olive, Payne, Seibels, Trammell and Waggoner.

—16

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 33. Relating to Cleburne County; providing further for the treating, depositing, dumping, the site or transporting of industrial waste in the county; creating the Cleburne County Industrial Waste Committee and providing for the composition of such committee, the selection of the membership, terms of office, powers and duties; providing for meetings and transaction of business; prescribing public hearings on all proposed activities and sites for such wastes and recommendation therefor by the committee to the appropriate state agencies; and specifically providing that no provision of this act shall be construed to amend or repeal any general law relating to regulating hazardous or solid wastes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 25; Nays 0.

Yeas:

Mr. Speaker, Albright, Bennett, Biddle, Brakefield, Cabaniss, Carter, Cobb, Dial, Gafford, Gilmer, Grimsley, Hall, Lewis, McKee, Moore, Naramore, Olive, Roberts, Shoemaker, Stewart, Trammell, Waggoner, Ward and Willis.

—25

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

H. J. R. 30. AMENDING THE JOINT RULES.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the proposed rule as set forth below be adopted as Rule 9A of the "Joint Rules of the Two Houses of the Legislature of Alabama":

Rule 9A. (A) The following words and phrases, whenever used in this Rule, shall have the following respective meanings:

"Basic Appropriations" means, with respect to any regular session of the Legislature, such appropriations as the Legislature may deem appropriate for the expenditures by the State during the ensuing Budget Period for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise).

"Budget Period" means a fiscal year of the State or such period other than fiscal year as may hereafter be fixed by law as the period with respect to which State budgets are prepared and State appropriations are made.

(B) On or before the second legislative day of each regular session of the Legislature, beginning with the first regular session after January 1, 1982, the Governor is respectfully requested to transmit to the Legislature for its consideration a proposed budget for the then next ensuing Budget Period.

(C) The duty of the Legislature at any regular session to make the Basic Appropriations for any Budget Period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly, beginning with the first regular session held after January 1, 1982, no bill (other than a bill making any of the Basic Appropriations) shall be signed by either the presiding officer of the House or Senate and transmitted to the other house until bills making the Basic Appropriations for the then ensuing Budget Period shall have been signed by the presiding officer of each House of the Legislature in accordance with Section 66 of the Alabama Constitution and presented to the Governor in accordance with Section 125 of the Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; and provided further, that following adoption, by vote of either house of not less than three-fifths of the members elected to that house, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.

(D) Upon the signing and presentation to the Governor in accordance with the said Sections 66 and 125 of bills making the Basic Appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the House and Senate (other than bills making any part of the Basic Appropriations) shall cease to be effective and shall not be revived or become again effective as a result of (i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the Governor or the Legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the Justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

(E) The provisions of this Rule shall be null and void upon the adjournment sine die of the 1982 Regular Session of the Legislature.

SUBSTITUTE OFFERED

Rep. Gafford offered the following substitute to the resolution, H. J. R. 30:

H. J. R. 30. AMENDING THE JOINT RULES.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the proposed rule as set forth below be adopted as Rule 9A of the "Joint Rules of the Two Houses of the Legislature of Alabama":

Rule 9A. (A) The following words and phrases, whenever used in this Rule, shall have the following respective meanings:

"Basic Appropriations" means, with respect to any regular session of the Legislature, such appropriations as the Legislature may deem appropriate for the expenditures by the State during the ensuing Budget Period for the ordinary expenses of the executive, legislative and judicial departments of the State, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise). "Basic appropriations" shall include appropriations made by the legislature to non-public schools and education institutions.

"Budget Period" means a fiscal year of the State or such period other than fiscal year as may hereafter be fixed by law as the period with respect to which State budgets are prepared and State appropriations are made.

(B) On or before the second legislative day of each regular session of the Legislature, beginning with the first regular session after January 1, 1982, the Governor is respectfully requested to transmit to the Legislature for its consideration a proposed budget for the then next ensuing Budget Period.

(C) The duty of the Legislature at any regular session to make the Basic Appropriations for any Budget Period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly, beginning with the first regular session held after January 1, 1982, no bill (other than a bill making any of the Basic Appropriations) shall be signed by either the presiding officer of the House or Senate and transmitted to the other house until bills making the Basic Appropriations for the then ensuing Budget Period shall have been signed by the presiding officer of each House of the Legislature in accordance with Section 66 of the Alabama Constitution and presented to the Governor in accordance with Section 125 of the Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; and provided further, that following adoption, by vote of either house of not less than three-fifths of the members elected to that house, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.

(D) Upon the signing and presentation to the Governor in accordance with the said Sections 66 and 125 of bills making the Basic Appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the House and Senate (other than bills making any part of the Basic Appropriations) shall cease to be effective and shall not be revived or become again effective as a result of (i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the Governor or the Legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the Justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

(E) The provisions of this Rule shall be null and void upon the adjournment sine die of the 1982 Regular Session of the Legislature.

RESOLUTION POSTPONED

On motion of Rep. Johnson (Roy), the resolution, H. J. R. 30 with pending substitute, was temporarily postponed.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 2. RELATIVE TO LEGISLATIVE MEETING DATES FROM WEDNESDAY, SEPTEMBER 30, 1981, THROUGH TUESDAY OCTOBER 6, 1981.

Also:

H. J. R. 7. COMMENDING THE MACMILLAN BLOEDEL COMPANY OF PINE HILL, WILCOX COUNTY, ALABAMA.

Also:

H. J. R. 11. HONORING DR. AUBREY R. McVAY UPON HIS RETIREMENT AS SUPERINTENDENT OF THE BALDWIN COUNTY SCHOOLS.

Also:

H. J. R. 12. COMMENDING MRS. CATHERINE BARRETT OF FAIRHOPE, ALABAMA, 1981 "COUNSELOR OF THE YEAR."

Also:

H. J. R. 13. HONORING MR. JOEL THOMPSON UPON HIS RETIREMENT AS CLEBURNE COUNTY EXTENSION AGENT.

Also:

H. J. R. 14. MOURNING THE DEATH OF FORMER MONROE COUNTY PROBATE JUDGE DAVID MILLER NETTLES.

Also:

H. J. R. 15. MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT A NATIONAL STRATEGY OF PEACE THROUGH STRENGTH.

Also:

H. J. R. 16. NAMING THE BRIDGE ON ALABAMA HIGHWAY 39 WHICH SPANS THE TOMBIGBEE RIVER AT GAINESVILLE, ALABAMA, CONNECTING SUMTER AND GREENE COUNTIES, "THE BARNES ADUSTON ROGERS BRIDGE."

Also:

H. J. R. 18. DESIGNATING THE WEEK OF OCTOBER 19-25, 1981 AS "CALHOUN COUNTY INDUSTRY WEEK."

Also:

H. J. R. 20. COMMENDING COMMANDER DOYLE P. TAYLOR OF GANTT LAKE, COVINGTON COUNTY, ALABAMA.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Venable and Bedsole:

H. J. R. 31. COMMENDING MR. JOHN STANLEY FRAZER UPON HIS RETIREMENT AS STATE PERSONNEL DIRECTOR.

WHEREAS, Mr. John Stanley Frazer is an exemplary public servant whose August 31, 1981, retirement culminated an extraordinary career of some 37 years with the State of Alabama in various capacities with the State Personnel Department; and

WHEREAS, a native of Furman in Wilcox County, Alabama, Mr. Frazer attended high schools in Macon, Georgia, and Memphis, Tennessee, prior to matriculating at Southwestern at Memphis; his B. A. Degree was awarded by the University of Florida and his M. A. Degree was acquired at the University of North Carolina; and

WHEREAS, Stanley Frazer first worked with the Alabama State Personnel Department as Senior Personnel Technician from 1939 until 1941; in 1945 he rejoined the Department as Deputy Personnel Director, serving in such capacity until 1953, and then served from October 1954 until his retirement as Director of the Department; and

WHEREAS, he also worked for short periods of time with the Louisiana Department of State Civil Service, with the United States Foreign Operations Administration in Sao Paulo, Brazil, with the Florida State Board of Social Welfare, and was in the real estate and insurance business in Mobile; and

WHEREAS, Mr. Frazer served with the United States Navy during World War II from 1942 until 1945 with duty in the South Pacific, the United States and Cuba; he is a Lieutenant Commander (Retired) in the U. S. Naval Reserve; and

WHEREAS, he has been professionally and actively affiliated through the years with the International Personnel Management Association having served as past Chairman of the Southern Regional Conference and as a member of the Executive Council from 1960-1964; he was made an Honorary Life Member of that organization in 1976 and he also is a member of the American Society for Personnel Administration; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Mr. John Stanley Frazer for outstanding service to the State of Alabama; we further wish him well in his retirement and all future endeavors and direct that he receive a copy of this resolution, tendered in deep appreciation and in evidence of our warm personal regard.

On motion of Rep. Venable, the rules were suspended and the resolution, H. J. R. 31, was adopted.

Also:

By Reps. Harper (O), Venable and Turnham:

H. J. R. 32. HONORING MR. BENNIE D. LITTLE UPON HIS RETIREMENT AS CITY SUPERINTENDENT OF SCHOOLS, TALLASSEE, ALABAMA.

WHEREAS, the recent retirement of Mr. Bennie D. Little of Tallassee, Alabama, as City Superintendent of Schools brought to a close a long and prestigious career in public education; and

WHEREAS, a native and lifelong resident of Tallassee, Mr. Little is a graduate of Tallassee High School where he was a member of the varsity football team; his Bachelor's Degree was earned at Troy State University and his Master's Degree was later acquired at Auburn University; and

WHEREAS, Mr. Little's long tenure of more than three decades has been spent entirely in his hometown of Tallassee where he has served variously as classroom teacher, coach and principal and in his retirement position of Superintendent for a number of years; and

WHEREAS, in addition to his career responsibilities, Mr. Little also has served his community and fellow citizens through his involvement and participation in numerous civic and charitable endeavors, giving generously of his time and talent in service to others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend former Superintendent Bennie D. Little of the Tallassee City Schools; we further wish him well in all future endeavors and direct that he receive a copy of this resolution evidencing our sincere praise and warm personal regards.

On motion of Rep. Harper (O), the rules were suspended and the resolution, H. J. R. 32, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Harper (T), Bedsole and McCorquodale:

H. R. 33. CONGRATULATING AND COMMENDING STEINER SHIPYARD OF BAYOU LA BATRE, ALABAMA.

BILLS ON THE THIRD READING RESUMED

And the bill:

H. 1. (With Amendments): To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Was taken up.

The question was then on the adoption on the amendment No. 1 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 1 on page 72, Line 16, by striking line 16 in its entirety.

And the amendment was adopted.

Yeas 44; Nays 2.

Yeas:

Mr. Speaker, Adams (C), Barton, Biddle, Brakefield, Carter, Cates, Cheatwood, Clark (G), Cobb, Cosby, Edwards, Ford, Gafford, Goodwin, Grimsley, Grouby, Harper (O), Higginbotham, Holley, Holmes, Johnson (R. G.), Kennedy, Langford, Manley, Mitchell, Moore, Olive, Owens, Payne, Pegues, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turnham, Ward, Warren, Whatley and Willis.

Nays: Reps. Coburn and Wyatt.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

On page 15, line 22, delete the language: "Tract 0113p"

On page 15, line 25, insert the language: Huntsville City (Pt.) Tract 0113p

And the amendment was adopted.

Yeas 62; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Daniels, Dixon, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Johnson (R. G.), Laird, Lewis, McMillan, Manley, Mitchell, Moore, Olive, Owens, Pegues, Penry, Rains, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Whatley, Williams and Willis.

—62

Nay: Rep. Wyatt.

—1

The question was then on the adoption of the amendment No. 3 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Make the following changes in Section 1:

On page 11, line 8, delete the number "0015" and insert in lieu thereof: 0115

On page 11, line 15, between the words "except" and "blocks", insert the words: in Gardendale-Gardendale Division, Block Group 1.

On page 11, immediately following line 19, insert the following language:

Tract 112.04 — Block Group 9, Blocks 958, 957, 955, 954, 952, 951, 950, 939, 938, 937, 936, 934, 925, 923, 959.

On page 11, delete lines 20 and 21 entirely.

On page 12, line 8, after the word "except", insert the word and comma: Birmingham,

On page 12, line 22, delete the words and punctuation, ", except in Block Group 1, blocks 109,"

On page 12, delete lines 23 and 24 entirely.

On page 24, delete lines 29, 30, 31, 32 entirely.

On page 26, delete lines 29 and 30.

On page 26, line 34, insert the following figures and punctuation and phrases: , except 315, 337, 338, 339, 340, 341 and 342.

On page 27, line 13, before the word "Birmingham" add the word and punctuation: Birmingham-

On page 28, delete line 21.

On page 28, delete lines 33, 34 and 35, and insert in lieu thereof the following: Blocks 968 and 917.

On page 28, line 37, before the word "Block", insert the language: Gardendale-Gardendale Division

On page 29, delete line 8 and insert in lieu thereof: Tract 120.01

On page 36, delete line 8 and insert in lieu thereof: Tract 0120.02

On page 42, line 10, after the word "except" insert the word: blocks

On page 44, delete lines 9, 10, 11 and 12 entirely, and insert in lieu thereof:

Tract 0127.02, Block Group 1, Blocks 104, 105, 106, 108, 109, 114, 115, 116, and 118

Tract 0111.05 in the Remainder of Trussville Division,

On motion of Rep. Manley, the amendment No. 3 reported by the Standing Committee on Judiciary to the bill, H. 1 as amended, was tabled.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Daniels, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Laird, Lewis, McKee, McMillan, Manley, Mitchell, Moore, Olive, Owens, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—73

Nay: Rep. Wyatt.

—1

The question was then on the adoption of the amendment No. 4 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 1, Section 2, page 95, line 16, by striking the number "57" and substituting therefor the number "60"; also on line 18 of said page, strike, the number "60" and substitute therefor the number "57".

And the amendment was adopted.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Laird, Lewis, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—73

Nay: Rep. Wyatt.

—1

The question was then on the adoption of the amendment No. 5 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

On page 77, House District 94, strike lines 24, 25, 26, 27, 28, 29, 30, 31 and 32 in their entirety and insert in lieu thereof the following: All of the Daphne Division except Blocks 101 through 138, 146 through 155, 199, 209 through 217, 219 through 223, in the Remainder of Daphne Division

and on Page 78, House District 95, strike lines 9, 10, 11, 12, 13, 14 and 15 and in lieu thereof insert the following:

Bay Minette Division
Elberta Division
Summerdale Division
All of Robertsdale Division
Remainder of Daphne Division

Blocks 101 through 138, 146 through 155, 199, 209 through 217, 219 through 223

And the amendment was adopted.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Laird, Lewis, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—72

Nay: Rep. Wyatt.

—1

AMENDMENT OFFERED

Reps. Cosby and Pegues offered the following amendment to the bill, H. 1 as amended:

In House District 85, on page 72, lines 8 and 9, delete the following language: minus BNA-9901, Block G-1

In House District 86, on page 73, lines 26 and 27, delete the following language: In City of Selma, BNA-9901, Block G-1

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 71; Nays 2.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Lewis, McKee, McMillan, Manley, Mitchell, Moore, Olive, Owens, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams and Willis.

—71

Nays: Reps. Langford and Wyatt.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 2. DESIGNATING OCTOBER 10, 1981, AS "WILLIAM LEE GOLDEN DAY" IN ALABAMA.

Also:

S. J. R. 4. CONGRATULATING DR. RICHARD O. RUTLAND, JR., OF FAYETTE, THE "FAMILY DOCTOR OF THE YEAR".

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

And the bill:

H. 64. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

Which previously was temporarily postponed, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 37; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bowling, Cabaniss, Campbell, Carothers, Carter, Cobb, Cooley, Cosby, Drinkard, Edwards, Goodwin, Grimsley, Grouby, Higginbotham, Horn, Johnson (Roy), Letson, Manley, Mitchell, Nevett, Payne, Pegues, Rains, Reed, Sandusky, Sasser, Smith (J), Starkey, Turner, Waggoner, Warren, Whatley and Willis.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Zoghby:

H. R. 34. MOURNING THE RECENT DEATH OF MR. ALBERT E. REYNOLDS, SR., OF MOBILE, ALABAMA.

BILLS ON THIRD READING RESUMED

H. 1 AGAIN TAKEN UP

MOTION TO POSTPONE

Rep. Wyatt offered the motion to postpone the bill, H. 1 as amended, to the fourth legislative day.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Rep. Manley that the House adjourn until 1:00 o'clock p.m., Tuesday, October 6, 1981, was adopted.

Yeas 56; Nays 13.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Bennett, Bowling, Buskey, Cabaniss, Campbell, Carothers, Carter, Clark (G), Cobb, Coburn, Cooley, Cosby, Dixon, Goodwin, Grimsley, Grouby, Hall, Higginbotham, Holley, Holmes, Howard, Johnson (Roy), Kennedy, Laird, Langford, Lewis, McMillan, Manley, Moore, Nevett, Olive, Parker, Pegues, Penry, Rains, Riddick, Sasser, Seibels, Shavers, Smith (J), Smith (M), Starkey, Stout, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Whatley, Williams and Willis.

—56

Nays:

Reps. Barton, Blake, Dial, Johnson (R. G.), Letson, McKee, Mitchell, Naramore, Owens, Roberts, Shoemaker, Smith (C) and Zoghby.

—13

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 25. MOURNING THE DEATH OF MR. ROY T. GIBSON, PROMINENT ST. CLAIR COUNTRY AND EDUCATOR.

Also:

H. J. R. 28. DESIGNATING OCTOBER 10, 1981, AS "WILLIAM LEE GOLDEN DAY" IN ALABAMA.

Also:

H. J. R. 31. COMMENDING MR. JOHN STANLEY FRAZER UPON HIS RETIREMENT AS STATE PERSONNEL DIRECTOR.

Also:

H. J. R. 32. HONORING MR. BENNIE D. LITTLE UPON HIS RETIREMENT AS CITY SUPERINTENDENT OF SCHOOLS, TALLASSEE, ALABAMA.

Also:

H. J. R. 10. CONGRATULATING AND COMMENDING THE OWNERS OF THE BEAUTIFUL NEW SHERATON RIVERFRONT STATION IN MONTGOMERY, ALABAMA.

Also:

H. J. R. 22. CONGRATULATING THE CITY OF CLANTON ON THE CENTENNIAL OF ITS FOUNDING.

Also:

H. J. R. 26. PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

Also:

H. J. R. 27. HONORING MR. F. M. "PHIL" REYES AS THE 1981 SENIOR CITIZEN OF THE YEAR OF THE MOBILE SENIOR CITIZENS SERVICES.

McDOWELL LEE, SECRETARY

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Keener (With Notice and Proof):

S. 8. Relating to the City of Gadsden; amending Section 1 of Act No. 63, H. 1, 1978 Second Special Session (Act 1978, p. 1750), so as to provide further for the salaries of members of the board of commissioners.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 8 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Kirkland (With Notice and Proof):

S. 9. Relating to Escambia County; to provide an optional and alternative method of assessing and paying taxes on and issuing license tags or decals for motor vehicles in such county.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 9 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Weeks (With Notice and Proof):

S. 48. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 48 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Proctor (With Notice and Proof):

S. 51. To alter, re-arrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 51 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Kirkland (With Notice & Proof):

S. 56. Relating to Escambia County; to amend Section 1, Section 4, and Section 6 of Act No. 81-841, H. 1056, 1981 Regular Session, relating to the county jury commission, so as to provide further for the board of appointment, and the compensation of the clerk and members of said commission.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 56 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Little (With Notice & Proof):

S. 57. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 57 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Proctor (With Notice and Proof):

S. 58. Relating to the cities of Sylacauga, Talladega, Childersburg and Lincoln in Talladega County, Alabama; authorizing said cities at the sole discretion of their respective city councils to appropriate funds each fiscal year to pay for costs of the Talladega County District Court, Juvenile Division.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 58 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Proctor (With Notice & Proof):

S. 59. Relative to Talladega County; to amend further Act No. 81-125, S. 101, 1981 Regular Session (Acts 1981), entitled, "An act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Talladega County," so as to provide for financing of Juvenile Justice and Law Enforcement by increasing the costs and charges of Court.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 59 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Gullledge (With Notice & Proof):

S. 60. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 60 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Keener (By Request)(With Notice and Proof):

S. 61. Relating to the Thirty-second Judicial Circuit, to change the present jury strike system to a one strike system in trials by jury for

misdemeanors or felonies not punished capitally or upon appeals to the circuit courts from lower courts.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 61 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Messrs. White and Hall (With Notice & Proof):

S. 53. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 53 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Messrs. White and Hall (With Notice & Proof):

S. 54. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 54 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. White (With Notice & Proof):

S. 55. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 55 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 8. Local Legislation No. 1.
- S. 9. Local Legislation No. 1.
- S. 48. Local Legislation No. 1.
- S. 51. Local Legislation No. 1.
- S. 56. Local Legislation No. 1.
- S. 57. Local Legislation No. 1.
- S. 58. Local Legislation No. 1.
- S. 59. Local Legislation No. 1.
- S. 60. Local Legislation No. 1.
- S. 61. Local Legislation No. 1.
- S. 53. Local Legislation No. 2.
- S. 54. Local Legislation No. 2.
- S. 55. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Weeks (With Notice & Proof):

S. 49. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 49 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 49. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Parsons, Little, White, Harrison, Hall, Barron and Bailey:

S. 20. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

Also:

S. 32. To amend Section 16-13-211 of the Code of Alabama 1975 so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 20. Judiciary.

S. 32. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. CONDEMNING THE SAGINAW STEERING GEAR DIVISION OF GENERAL MOTORS FOR NOT UTILIZING MORE LOCAL LABOR AT THEIR LIMESTONE COUNTY INDUSTRIAL PLANTS.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:15 A. M. on October 1, 1981:

H. J. R. 2

H. J. R. 7

H. J. R. 11
H. J. R. 12
H. J. R. 13
H. J. R. 14
H. J. R. 15
H. J. R. 16
H. J. R. 18
H. J. R. 20

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On substitute motion of Rep. Manley and pursuant to the resolution, H. R. 29, heretofore adopted, the House adjourned until 1:00 o'clock p.m., Tuesday, October 6, 1981.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, October 6, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Mahlon S. Felkins, Pastor, First United Methodist Church, Childersburg, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

LEAVE OF ABSENCE

At the request of Rep. Rains, leave of absence was granted for Rep. Stout, due to illness.

At the request of Rep. Goodwin, leave of absence was granted for Rep. Coburn, due to illness.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, Tuesday, October 6, 1981, they adjourn to meet again on Wednesday, October 7; when they adjourn on Wednesday, October 7, they adjourn to meet again on Thursday, October 8; and when they adjourn on Thursday, October 8, they adjourn to meet again on Tuesday, October 13, 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 35, was adopted.

Also:

By Rep. Manley:

H. R. 36. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Tuesday, October 6, 1981, we adjourn to meet again on Wednesday, October 7, 1981, at 12:00 noon.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 36, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Manley, leave of absence was granted for Rep. Cosby.

BILLS ON SECOND READING

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills

and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 57. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

S. 48. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

S. 49. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

S. 60. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County.

Rep. Sandusky, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 51. To provide a supplement to the salaries of district court bailiffs in the Thirteenth Judicial Circuit.

Rep. Wyatt, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 107. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit charitable organizations in Montgomery County.

The above bill was read a second time at length as required by the Constitution.

Rep. Wyatt, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 43. (With Substitute) (With Amendment): To provide that the operation of bingo games for prizes or money by charitable organizations for bona fide charitable or educational purposes shall be legal in Montgomery county, to provide for permits, applications, forms and contents to operate bingo, to provide for special permits, to provide for contents and display of permits, to prohibit certain activities and impose special requirements, to provide for fees and expenses, to provide for the disposition of proceeds, to provide for the operation of bingo, to provide for the keeping of records and their inspection, to provide for the issuance and revocation of permits, to provide for supervision by the circuit court, to provide for penalties and

forfeitures, and to provide that this Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing bingo in Montgomery county, but only if said amendment is approved by a majority of the voters casting ballots thereon in Montgomery county.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 13. MOURNING THE DEATH OF COACH PAUL F. BURNUM OF TUSCALOOSA, ALABAMA.

Also:

S. J. R. 14. COMMENDING MISS JOANNE HENDERSON DONALDSON, MISS ALABAMA USA FOR 1981.

Also:

S. J. R. 15. MOURNING THE RECENT DEATH OF MR. CHARLES RALPH PAUL OF GENEVA, ALABAMA.

Also:

S. J. R. 16. MOURNING THE DEATH OF MR. CHARLES COE OF SLOCOMB, ALABAMA.

Also:

S. J. R. 17. CONGRATULATING RIVIERA UTILITIES, FOLEY, ALABAMA, ON THE OPERATION OF ITS AWARD-WINNING WATER AND WASTEWATER DEPARTMENTS.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Harvey (With Notice and Proof):

H. 109. To approve the increase in the rate of municipal ad valorem taxes of the town of Highland Lake, Blount County, proposed by resolution by the council of such town.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 109, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Owens (With Notice and Proof):

H. 110. Relating to Tuscaloosa County; amending Section 2 of Act No. 613, H. 1289, 1977 Regular Session (Acts 1977, p. 922), which relates to voter registration and the duties and compensation of the county board of registrars; and repealing Sections 11 and 12 of said Act.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 110, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Gafford:

H. 111. To require every railroad conductor and engineer who operates a train in this state to carry on his person a qualification permit while on duty in train service.

Commerce, Transportation and Utilities.

By Rep. Waggoner (With Notice and Proof):

H. 112. To authorize the Pension Board of the Jefferson County Pension System established by Act No. 497 of 1965, approved on August 20, 1965, to increase benefits which the said pension system provides for members of the system and to increase benefits which the said pension system provides for other persons on account of such other persons' dependence upon or relation to members of the system; and to prescribe the terms and conditions on which said Pension Board shall be authorized to increase such benefits.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 112, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Howard and Lewis (With Notice and Proof):

H. 113. To increase from fifty dollars per month to one hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 113, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Lewis, Howard, Boles and Trammell (With Notice and Proof):

H. 114. Relating to Jefferson County in regard to establishing the salary of the Deputy Probate Judge.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 114, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Drinkard:

H. 115. To amend Section 7 of Act No. 81-721, H. 769 of the 1981 Regular Session (Acts 1981, page 1227) which authorizes the incorporation and organization of a public corporation in the state to be named the Alabama synfuels development authority for the purpose of furthering the development of synthetic fuels, so as to grant the authority the power to convey to any private corporation for fair market value any real, personal or mixed property necessary or convenient to the authority in the performance of its duties.

State Administration.

By Rep. Manley:

H. 116. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Section 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Reps. Grouby, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Homes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 37. MOURNING THE DEATH OF MISS MITTIE WILEY MILLER OF MONTGOMERY, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Miss Mittie Wiley Miller of Montgomery, Alabama, on October 3, 1981, at the age of 89 years; and

WHEREAS, "Miss Mittie" as she was affectionately known to one and all, was employed at the Alabama State Capitol from 1919 until May 1973, serving during the administrations of twelve successive governors and the second terms of Governors Graves, Folsom and Wallace; and

WHEREAS, thus, for more than fifty years, Miss Mittie was a familiar figure in the Capitol halls as she delivered messages throughout the building, seldom failing, if ever, to promptly complete her assignments; and

WHEREAS, Miss Mittie also was known for her phenomenal memory for names and faces, an enviable asset which contributed greatly to her efficiency and reliability in the performance of her duties; and

WHEREAS, Miss Mittie Miller was a warm, gracious and charming lady who won the hearts of all those privileged to know her, and who remember her with deep affection and esteem; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Miss Mittie Wiley Miller of Montgomery, Alabama, and extend our most heartfelt sympathy to her family to whom copies of this resolution shall be sent.

On motion of Rep. Grouby, the rules were suspended and the resolution, H. J. R. 37, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Moore, the rules were suspended in order to take up out of order the third reading of the bill, H. 30.

And the bill:

H. 30. To amend Section 16-13-211 of the CODE OF ALABAMA 1975 so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Blake, Campbell, Carter, Cates, Clark (G), Crow, Dial, Drinkard, Edwards, Gafford, Gilmer, Goodwin, Grouby, Hammett, Holmes, McKee, McMillan, Manley, Moore, Olive, Owens, Pegues, Ray, Sasser, Seibels, Smith (C), Starkey, Stewart, Trammell, Turnham, Waggoner, Ward, Warren, Whatley, Williams, and Willis.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 4. CONDEMNING THE SAGINAW STEERING GEAR DIVISION OF GENERAL MOTORS FOR NOT UTILIZING MORE LOCAL LABOR AT THEIR LIMESTONE COUNTY INDUSTRIAL PLANTS.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 10. CONGRATULATING AND COMMENDING THE OWNERS OF THE BEAUTIFUL NEW SHERATON RIVERFRONT STATION IN MONTGOMERY, ALABAMA.

Also:

H. J. R. 22. CONGRATULATING THE CITY OF CLANTON ON THE CENTENNIAL OF ITS FOUNDING.

Also:

H. J. R. 25. MOURNING THE DEATH OF MR. ROY T. GIBSON, PROMINENT ST. CLAIR COUNTRY AND EDUCATOR.

Also:

H. J. R. 26. PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

Also:

H. J. R. 27. HONORING MR. F. M. "PHIL" REYES AS THE 1981 SENIOR CITIZEN OF THE YEAR OF THE MOBILE SENIOR CITIZENS SERVICES.

Also:

H. J. R. 28. DESIGNATING OCTOBER 10, 1981, AS "WILLIAM LEE GOLDEN DAY" IN ALABAMA.

Also:

H. J. R. 31. COMMENDING MR. JOHN STANLEY FRAZER UPON HIS RETIREMENT AS STATE PERSONNEL DIRECTOR.

Also:

H. J. R. 32. HONORING MR. BENNIE D. LITTLE UPON HIS RETIREMENT AS CITY SUPERINTENDENT OF SCHOOLS, TALLASSEE, ALABAMA.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

UNFINISHED BUSINESS

The House then proceeded with the consideration of the Unfinished Business.

And the resolution:

H. J. R. 30. AMENDING THE JOINT RULES.

With pending substitute, was taken up.

SUBSTITUTE ADOPTED

On motion of Rep. Gafford the substitute was adopted.

Yeas 21; Nays 2.

Yeas:

Mr. Speaker, Albright, Barton, Blake, Bowling, Brakefield, Carter, Cheatwood, Gafford, Grouby, Naramore, Olive, Pegues, Rains, Roberts, Seibels, Starkey, Stewart, Turnham, Waggoner and Warren.

—21

Nays: Reps. Holmes and Willis.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the resolution, H. J. R. 30 as thus amended, was adopted.

Yeas 41; Nays 6.

Yeas:

Mr. Speaker, Barton, Blake, Boles, Brakefield, Cabaniss, Carothers, Carter, Cheatwood, Clark (G), Dixon, Edwards, Gafford, Goodwin, Grouby,

Harper (O), Higginbotham, Holmes, Johnson (R. G.), Lewis, McMillan, Manley, Minus, Moore, Naramore, Olive, Patton, Pegues, Rains, Roberts, Sasser, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Trammell, Turnham, Venable, Warren and Zoghby.

—41

Nays: Reps. Campbell, Cooley, Crow, Gilmer, Penry and Willis. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Dixon to suspend the rules in order to take up out of order the bill, H. 45, was lost.

Yeas 8; Nays 22.

Yeas:

Reps. Blake, Dixon, Harper (O), Lewis, Mitchell, Smith (M), Waggoner and Wyatt.

—8

Nays:

Mr. Speaker, Barton, Brakefield, Campbell, Clark (G), Gilmer, Grouby, Higginbotham, Holmes, Johnson (R. G.), Langford, Manley, Minus, Patton, Pegues, Penry, Rains, Roberts, Sasser, Seibels, Shoemaker and Turnham.

—22

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. 23 POSTPONED

On motion of Rep. Clark (G), the bill, H. 23, was postponed to the sixth legislative day.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. McKee to suspend the rules in order to take up out of order the bill, H. 46, was lost.

Yeas 4; Nays 28.

Yeas: Reps. Blake, McKee, Patton and Rains. —4

Nays:

Mr. Speaker, Albright, Barton, Bowling, Brakefield, Buskey, Campbell, Clark (G), Dial, Dixon, Gilmer, Hammett, Holmes, Johnson (R. G.), McMillan, Manley, Minus, Mitchell, Pegues, Penry, Roberts, Sasser, Seibels, Shoemaker, Starkey, Turnham, Ward and Whatley.

—28

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, H. 7, was lost, lacking a four-fifths vote.

Yeas 10; Nays 5.

Yeas:

Reps. Boles, Cabaniss, Cheatwood, Gafford, Lewis, Moore, Olive, Payne, Seibels and Waggoner.

—10

Nays: Reps. Escott, Horn, Jackson, Nevett and Tucker.

—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

BILLS ON THIRD READING

And the bill:

H. 59. Relating to the twelfth judicial circuit; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 29; Nays 0.

Yeas:

Mr. Speaker, Barton, Blake, Boles, Cabaniss, Edwards, Gafford, Gilmer, Goodwin, Grouby, Hammett, Holmes, Kennedy, Laird, Langford, Mitchell, Moore, Nevett, Payne, Ray, Sandusky, Smith (C), Stewart, Trammell, Venable, Ward, Whatley, Willis and Wyatt.

—29

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Reps. Reed, Holmes, Kennedy and Horn:

H. J. R. 38. COMMENDING THE ACTION OF THE UNITED STATES HOUSE OF REPRESENTATIVES WITH REGARD TO THE EXTENSION OF THE 1965 VOTING RIGHTS ACT.

WHEREAS, the Legislature of Alabama is pleased to note that on October 5, 1981, the United States House of Representatives, by an overwhelming majority, voted to indefinitely extend the Voting Rights Act of 1965 which prohibits qualifications and standards that result in discrimination; and

WHEREAS, the new bill, as responsibly approved by the U. S. House, would further permit the courts to consider "effect" as well as "intent" in its rulings with regard to discrimination in voting qualifications and standards of nine states and parts of 13 others; and

WHEREAS, the members of Congress who voted for extension are indeed to be praised for their actions in furthering the democratic process in these United States and for their support and defense of our nation's minorities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend the United States House of Representatives for its responsible vote of extension of the 1965 Voting Rights Act and direct that a copy of this resolution be sent to the presiding officer of the U. S. House of Representatives evidencing our appreciation and sincere praise.

The resolution, H. J. R. 38, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 71. Relating to the Thirty-seventh Judicial Circuit, to change the present jury strike system to a one strike system in trials by jury for misdemeanors or felonies, or upon appeals to the circuit courts from lower courts.

Was taken up.

SUBSTITUTE OFFERED

Rep. Turnham offered the following substitute to the bill, H. 71:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Thirty-seventh Judicial Circuit, to change the present jury strike system in criminal cases to a one strike system in trials by jury for violations, misdemeanors or felonies, or upon appeals to the circuit courts from lower courts.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the trial by jury of criminal cases in the circuit courts of the Thirty-seventh Judicial Circuit, the jury shall be drawn, selected and

empaneled as follows: Upon the trial by jury in the circuit courts of a person charged with a felony, including a capital felony, a misdemeanor, or violation, or upon an appeal to the circuit court from any lower courts, the court shall require a strike list or lists to be compiled from the names appearing on the master strike list. In compiling the list or lists, names of qualified jurors may be omitted on a non-selective basis. A strike list shall be furnished for the trial of any case at hand and a copy thereof given to all parties. The jurors whose names appear thereon shall be brought into open court, the case called and in the presence of the district attorney, the defendant and his attorney, shall be examined on voir dire for the trial of the case at hand. At the conclusion of the voir dire examination and the removal from the strike list of the names of those jurors who were challenged or excused for good reason, the district attorney shall be required first to strike from the strike list the name of one juror, and the defendant shall strike one, and they shall continue to strike off names alternately until only 12 jurors remain on the strike list and these 12 jurors thus selected shall be the jury charged with the trial of the case.

If any defendant shall refuse to exercise a strike to which he is entitled, then the judge presiding shall exercise that defendant's strike for him. The number of names appearing on the strike list upon commencement of striking, unless a lesser number is agreed to by the parties, shall not be less than 36 if the offense charged is a capital felony or less than 24 if the offense charged is a felony not punished capitally nor less than 18 if the offense charged is a misdemeanor or violation. No special venire shall be ordered, drawn, or summoned for the trial of any person indicated for a capital felony."

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 32; Nays 0.

Yeas:

Mr. Speaker, Albright, Boles, Carter, Crow, Edwards, Escott, Gafford, Goodwin, Grimsley, Grouby, Harper (O), Holmes, Laird, Langford, Mitchell, Moore, Nevett, Olive, Rains, Sasser, Seibels, Smith (C), Starkey, Stewart, Trammell, Turnham, Waggoner, Ward, Whatley, Willis and Wyatt.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 71. Relating to the Thirty-seventh Judicial Circuit, to change the present jury strike system in criminal cases to a one strike system in trials by jury for violations, misdemeanors or felonies, or upon appeals to the circuit courts from lower courts.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 33; Nays 0.

Yeas:

Mr. Speaker, Albright, Cabaniss, Carter, Crow, Edwards, Escott, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Holmes, Kennedy, Langford, Mitchell, Moore, Naramore, Nevett, Olive, Sasser, Seibels, Smith (C), Starkey, Stewart, Turnham, Waggoner, Ward, Whatley, Willis and Wyatt.

—33

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 94. Relating to Barbour County; providing for a salary supplement for the district attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 32; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Cabaniss, Crow, Dial, Edwards, Escott, Goodwin, Grimsley, Grouby, Hall, Harper (O), Langford, McKee, Mitchell, Moore, Naramore, Nevett, Olive, Reed, Sasser, Seibels, Smith (C), Starkey, Stewart, Waggoner, Ward, Whatley, Willis and Wyatt.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Reps. McCorquodale, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry,

Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 39. ENCOURAGING THE MARYLAND PAROLE COMMISSION TO DENY PAROLE TO ARTHUR BREMMER.

WHEREAS, Arthur Bremmer, who was convicted of the attempted assassination on May 15, 1972, of Governor George Wallace, will be eligible for parole in May 1982 upon review by the Maryland Parole Commission; and

WHEREAS, should Arthur Bremmer be released from prison, he will have served a mere ten years of a 53-year sentence for a murderous attack which left Governor Wallace paralyzed to the extent that he yet remains confined to a wheelchair, so imprisoned for life; and

WHEREAS, it is the consensus of this body that the American people will find no justice in the early release, by as much as a single day, of a convicted criminal, totally void of conscience or compassion, who relentlessly stalked his victim, then coldly shot to kill at point blank range; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby beseechingly request and encourage all members of the Maryland Parole Commission to categorically deny parole to Arthur Bremmer upon review of his impending hearing in May 1982.

BE IT FURTHER RESOLVED, That the Clerk of the House of Representatives is directed to forward copies of this resolution to Chairman Henry P. Turner that he and his fellow Commissioners may be aware of our concern in this matter and of our pleadings on behalf of the citizens of Alabama and of all America.

On motion of Rep. McCorquodale, the rules were suspended and the resolution, H. J. R. 39, was adopted.

UNFINISHED BUSINESS RESUMED

And the bill:

H. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

As amended on the third legislative day, was taken up.

MOTION TO REMOVE FROM TABLE ADOPTED

On motion of Rep. Manley, the amendment No. 3 reported by the Standing Committee on Judiciary and tabled on the fourth legislative day, was removed from the table.

Yeas 52; Nays 1.

Yeas:

Mr. Speaker, Adams (H), Bennett, Blake, Cabaniss, Campbell, Carter, Clark (G), Cobb, Crow, Dial, Edwards, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Johnson (R. G.), Laird, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Nevett, Olive, Owens, Patton,

Pegues, Penry, Rains, Ray, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Wyatt.

—52

Nay: Rep. Jackson.

—1

AMENDMENT POSTPONED

On motion of Rep. Manley, consideration of the amendment No. 3 reported by the Standing Committee on Judiciary, was temporarily postponed.

AMENDMENT OFFERED

Rep. Sandusky offered the following amendment to the bill, H. 1 as amended:

In Senate District 32, on page 96, line 9, strike the language "96" and insert in lieu thereof the language: 97

In Senate District 33, on page 96, line 11, strike the language "97" and insert in lieu thereof the language: 103

In Senate District 34, on page 96, line 13, strike the language "102" and insert in lieu thereof the language: 96

In Senate District 35, on page 96, line 15, strike the language "103" and insert in lieu thereof the language: 102

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 4.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Buskey, Cabaniss, Campbell, Carothers, Carter, Clark (G), Clark (W), Cobb, Crow, Edwards, Gafford, Goodwin, Grimsley, Hammett, Higginbotham, Holley, Johnson (R. G.), Laird, Lewis, McMillan, Minus, Mitchell, Moore, Nevett, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Turner, Turnham, Venable, Waggoner, Ward, Whatley, Williams and Willis.

—49

Nays: Reps. Kennedy, Stewart, Tucker and Zoghby.

—4

AMENDMENT OFFERED

Rep. Bowling offered the following amendment to the bill, H. 1, as amended:

Amend H. B. 1 on page 8, House District 10, on line 16, following the words "Hanceville Division" add the words and figures:

except Enumeration District 140 and Enumeration District 137

On line 17 add the following:

In Jones Chapel Division: Enumeration District 114 only

On line 23, following the words "Jones Chapel Division" add the words and figures:

Except Enumeration District 114

Insert between line 25 and line 26 the following:

Hanceville Division Enumeration District 140 and Enumeration District 137 only

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 45; Nays 0.

Yeas:

Reps. Adams (H), Amari, Barton, Bennett, Bowling, Cabaniss, Campbell, Carothers, Carter, Clark (G), Cooley, Crow, Drinkard, Gafford, Goodwin, Grimsley, Grouby, Hammett, Higginbotham, Johnson (R. G.), Kelley, Laird, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Nevett, Olive, Owens, Penry, Rains, Ray, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Waggoner, Ward, Whatley, Willis and Wyatt.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 1 as amended:

Amend House Bill 1, Section 1, page 74 of said bill, on line 13, (House District 87), by deleting the words

Moundville Division

where same appear thereon and insert in lieu thereof the words

Sawyerterville Division

Further amend House Bill 1, Section 1, page 74 of said bill, on line 24, (House District 88), by deleting the words

Sawyerterville Division

where same appear thereon and insert in lieu thereof the words

Moundville Division

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bennett, Blake, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cooley, Crow, Dial, Drinkard, Edwards, Gafford, Goodwin, Grimsley, Grouby, Hammett, Higginbotham, Johnson (R. G.), Kelley, Laird, Lewis, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Penry, Rains, Ray, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Trammell, Venable, Waggoner, Ward, Whatley, Willis, Wyatt and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Turner offered the following amendment to the bill, H. 1 as amended:

In Section 1 on page 76, on line 10 after the words "Millry Division" insert:

except Enumeration District 126T

In Section 1, on page 76, on line 13 insert the following:

In Wagarville Division Enumeration District 130

In Section 1, on page 79, on line 7 delete "enumeration district 130" and insert in its place:

enumeration district 126T

AMENDMENT TABLED

On motion of Rep. Minus, the amendment offered by Rep. Turner to the bill, H. 1 as amended, was tabled.

Yeas 23; Nays 6.

Yeas:

Reps. Barton, Cabaniss, Carothers, Cates, Cheatwood, Clark (G), Dial, Edwards, Johnson (R. G.), Letson, Lewis, Manley, Minus, Mitchell, Patton, Pegues, Rains, Seibels, Shoemaker, Smith (C), Ward, Williams and Willis.

—23

Nays: Reps. Blake, Buskey, Clark (W), Holley, Tucker and Wyatt. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Gilmer offered the following amendment No. 1 to the bill, H. 1 as amended:

On page 5, relating to House District 5, on line 26, strike "Guin Division" and insert in lieu thereof:

Enumeration Districts 414 and 407

On page 5, relating to House District 5, by deleting line 27 in its entirety.

On page 5, relating to House District 5, delete line 28 in its entirety.

On page 5, relating to House District 6, on line 33, delete "except Enumeration" and insert in lieu thereof:

(All)

On page 5, relating to House District 6, delete line 34 in its entirety.

On page 5, relating to House District 6, delete line 36 in its entirety and insert in lieu thereof:

Enumeration Districts 414 and 407

AMENDMENT TABLED

On motion of Rep. Cobb, the amendment offered by Rep. Gilmer to the bill, H. 1 as amended, was tabled.

Yeas 7; Nays 3.

Yeas:

Reps. Goodwin, Holley, Johnson (Roy), Kelley, McMillan, Penry and Venable.

—7

Nays: Reps. Gilmer, Tucker and Whatley.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

PERMISSION GRANTED

Permission was granted for the Journal to show Rep. Holley voting "Yea" on the bill, H. 59.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 37. MOURNING THE DEATH OF MISS MITTIE WILEY MILLER OF MONTGOMERY, ALABAMA.

McDOWELL LEE,
Secretary.

H. 1 RESUMED

The question was then on the amendment No. 3 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

On page 28, delete lines 33, 34 and 35, and insert in lieu thereof the following:

Blocks 968 and 917.

On page 28, line 37, before the word "Block", insert the language:

Gardendale-Gardendale Division

On page 29, delete line 8 and insert in lieu thereof:

Tract 120.01

On page 36, delete line 8 and insert in lieu thereof:

Tract 0120.02

On page 42, line 10, after the word "except" insert the word:

blocks

On page 44, delete lines 9, 10, 11 and 12 entirely, and insert in lieu thereof:

Tract 0127.02, Block Group 1, Blocks 104, 105, 106, 108, 109, 114, 115, 116, and 118 Tract 0111.05 in the Remainder of Trussville Division,

SUBSTITUTE AMENDMENT OFFERED

Rep. Payne offered the following substitute amendment to the amendment No. 3 reported by the Standing Committee on Judiciary:

Make the following changes in Section 1:

On page 11, line 8, delete the number "0015" and insert in lieu thereof:

0115

On page 11, line 15, between the words "except" and "blocks", insert the words:

in Gardendale-Gardendale Division, Block Group 1,

On page 11, immediately following line 19, insert the following language:

Tract 112.04—Block Group 9, in remainder of Birmingham Division, Blocks 958, 957, 955, 954, 952, 951, 950, 939, 938, 937, 936, 934, 925, 923, 959, 953

On page 11, delete lines 20 and 21 entirely.

On page 12, line 8, after the word "except", insert the word and comma:

Birmingham,

On page 12, line 22, delete the words and punctuation, ", except in Block Group 1, blocks 109,"

On page 12, delete lines 23 and 24 entirely.

On page 24, delete lines 29, 30, 31, 32, 33 entirely

On page 26, delete lines 29 and 30.

On page 26, following the number 3 on line 33, insert the following figures and punctuation and phrases:

, except 315, 337, 338, 339, 340, 341 and 342.

On page 27, line 13, before the word "Birmingham" add the word and punctuation:

Birmingham—

On page 28, delete line 21.

On page 28, delete lines 33, 34 and 35, and insert in lieu thereof the following:

Blocks 968 and 917.

On page 28, line 37, before the word "Block", insert the language:

Gardendale-Gardendale Division

On page 29, delete line 8 and insert in lieu thereof:

Tract 120.01

On page 36, delete line 8 and insert in lieu thereof:

Tract 0120.02

On page 42, line 10, after the word "except" insert the word:

blocks

On page 44, delete lines 9, 10, 11 and 12 entirely, and insert in lieu thereof:

Tract 0127.02, Block Group 1, Blocks 104, 105, 106, 108, 109, 114, 115, 116, and 118 Tract 0111.05 in the Remainder of Trussville Division,

On page 22, line 21 add:

Enumeration District 780

SUBSTITUTE AMENDMENT ADOPTED

And the substitute amendment was adopted.

Yeas 41; Nays 3.

Yeas:

Reps. Amari, Barton, Bennett, Biddle, Blake, Boles, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Crow, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Harper (O), Higginbotham, Johnson (Roy), Lewis, Manley, Moore, Olive, Patton, Payne, Pegues, Rains, Roberts, Sasser, Seibels, Smith (C), Trammell, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—41

Nays: Reps. Escott, Jackson and Tucker.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT ADOPTED

And the amendment No. 3 reported by the Standing Committee on Judiciary, as thus amended, was adopted.

Yeas 37; Nays 1.

Yeas:

Mr. Speaker, Amari, Bennett, Biddle, Blake, Boles, Cabaniss, Campbell, Carter, Clark (G), Cobb, Crow, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Harper (O), Higginbotham, Manley, Moore, Olive, Patton, Pegues, Rains, Roberts, Sasser, Seibels, Smith (C), Trammell, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—37

Nay: Rep. Escott.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Parker offered the following amendment No. 1 to the bill, H. 1 as amended:

In House District 100, on page 86, strike lines 27 through 31 in their entirety.

In House District 98, on page 84, line 19, add the following language:
, 901p, 905, 918, 919p, 227p, 830, 831, 832, 833, 834, 958, 964p

In House District 97, on page 81, lines 12 and 13, delete the following language:

“except Blocks 936-946, and 988p and Enumeration District 540”

Also in House District 97, on page 82, line 15, delete the language “227p”; on line 16, delete the language “901p, 905, 918”; on line 17, delete the language “919p, 964p, 833”; and on line 18, delete the language “834, 832, 830, 831, 958”

Also in House District 97, on page 82, after line 18, insert the following language:

801, 803, 804, 805, 807, 808, 809, 815, 816, 817, 818, 819, 820, 823

In House District 101, on page 87, after line 28, insert the following language:

Tract 34.02 Block 127p only

In House District 98, on page 83, delete line 10 in its entirety.

AMENDMENT ADOPTED

And the amendment No. 1 offered by Rep. Parker to the bill, H. 1 as amended, was adopted.

Yeas 24; Nays 0.

Yeas:

Reps. Biddle, Blake, Boles, Buskey, Campbell, Clark (G), Clark (W), Crow, Drinkard, Edwards, Grouby, Harper (O), Holley, Johnson (R. G.), Manley, Olive, Parker, Pegues, Rains, Seibels, Stewart, Ward, Willis and Zoghby.

—24

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Parker offered the following amendment No. 2 to the bill, H. 1 as amended:

In House District 96, on page 79, line 25, strike the language "801" and also on page 79 strike the following lines in their entirety:

26, 27, 28, 29, 30, 36, 37, 38, 39

so that the following language is deleted:

"801, 803, 804, 805, 807, 809, 815, 816, 817, 818"

Also, in House District 96, on page 80, strike lines 5 through 8 in their entirety so that the following language is deleted:

"Blocks 819, 820, 823, 808"

In House District 97, on page 82, strike lines 9 through 12 in their entirety so that the following language is deleted:

"Prichard City:

Tract 0061P

Blocks 203, 204, 225, 226, 227p, 901p and 902"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 35; Nays 0.

Yeas:

Reps. Bennett, Blake, Buskey, Campbell, Carter, Clark (G), Clark (W), Crow, Drinkard, Edwards, Grouby, Harper (O), Holley, Johnson (R. G.),

Kennedy, Letson, Lewis, Manley, Minus, Olive, Owens, Parker, Patton, Pegues, Rains, Roberts, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Ward, Whatley, Willis and Zoghby.

—35

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Langford offered the following amendment to the bill, H. 1 as amended:

Delete page 64 in its entirety and insert in lieu thereof the following:

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0001; Tract 0002; Tract 0003; Tract 0004, Blocks 114, 201, 202; Block Group 4, 5, 6, 7, 8 except blocks 411, 412, 414, 501, 502, 503, 504, 505, 506, 507; Tract 0006; Tract 0007, Block Group 1, 5, 6, 7 and; Blocks 304, 303, 305, 301, 302, 306, 204, 207, 206, 205, 201, 202, 408, 407, 403;

Tract 0012 except Blocks 516, 507, 508, 505;

Tract 0015, Blocks 318, 319, 320, 321, 501, 502, 503, 504, 505, 506, 507, 531, 532, 725;

Tract 0051.01, Blocks 913p, 928, 929, 932p, 935, 936, 940, 941, 951, 955, 958, 960, 961p, 963p, 964, 965, 966, 968p, 969p, 971, 973p, 989, 801, 802p, 904, 910, 911, 912, 913p, 927, 932p, 942, 959, 961p, 962p, 963p, 968p, 969p, 973p; Tract 0051.02; Tract 0011, Block Group, 1, 5, 7, 8; Blocks 201, 203, 204, 205, 209, 210, 211, 212, 215, 222, 225, 604, 605, 615, 625, 626, 628, 629, 632, 634

Tract 0053.01.

Delete page 68 in its entirety and insert in lieu thereof the following:

HOUSE DISTRICT 81 SHALL CONSIST OF: In Montgomery County: Montgomery Division, Tract 0007; Block Group 2, 3, 4, except Blocks 304, 303, 305, 301, 302, 306, 204, 207, 206, 205, 201, 202, 408, 407, 403; Tract 0012; Blocks 516, 507, 508, 505; Tract 0013; Block Group 1, 2; Blocks 301, 308, 309, 402, 403, 405, 415, 406, 407, 411, 410, 409, 408, 401; Tract 0015; Blocks 106, 107, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 510, 516, 517, 518, 519, 530; Block Group 2; Tract 0020; Tract 0021; Tract 0022; Block Group 1, 2; Blocks 301, 302, 303, 304, 601, 602, 603, 604, 605, 709, 710; Tract 0028; Tract 0033; Tract 0056.02; Tract 0014; Tract 0056.03, Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956

Delete page 66 in its entirety and substitute in lieu thereof:

HOUSE DISTRICT 79 SHALL CONSIST OF: In Montgomery County: Montgomery Division, Tract 0004, Block group 3, Blocks 106, 103, 105, 113, 117, 109, 118, 102, 101, 209, 210, 208, 211, 207, 205, 206, 115, 112, 111, 212, 213, 204, 411, 412, 414, 501, 502, 503, 504, 505, 506, 507; Tract 0025; Tract 0051.03; Tract 0016; Tract 0017; Tract 0027; Tract 0026; Tract 0005; Tract 0019; Tract 0018; Tract 0053.02

MOTION TO TABLE LOST

The motion offered by Rep. Wyatt to table the amendment offered by Rep. Langford to the bill, H. 1 as amended, was lost.

Yeas 1; Nays 8.

Yea: Rep. Wyatt. —1

Nays:

Reps. Cates, Dixon, Grouby, Hammett, Holmes, Langford, McKee and Nevett.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Langford to the bill, H. 1 as amended, and the amendment was adopted.

Yeas 16; Nays 1.

Yeas:

Reps. Adams (H), Blake, Cates, Dixon, Grouby, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Langford, McKee, Nevett, Starkey, Willis and Wyatt.

—16

Nay: Rep. Tucker. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Harvey offered the following amendment to the bill, H. 1 as amended:

On page 11, House District 14, in Blount County, after line 25, add the following: Enumeration District 807; Enumeration District 811; Block Group 1.

On page 22, House District 27, in Blount County, after line 20, add: Enumeration District 807; Enumeration District 811; Block Group 1

In section 1, on page 11, on line 26 add the words "except enumeration district 780"

MOTION TO TABLE LOST

The motion offered by Rep. Cheatwood to table the amendment offered by Rep. Harvey to the bill, H. 1 as amended, was lost.

Yeas 20; Nays 26.

Yeas:

Reps. Blake, Boles, Buskey, Cabaniss, Cheatwood, Clark (W), Crow, Escott, Hall, Harrison, Holley, Johnson (Roy), Nevett, Olive, Payne, Penry, Rains, Seibels, Trammell and Wyatt.

—20

Nays:

Mr. Speaker, Bowling, Campbell, Carothers, Carter, Cates, Clark (G), Cooley, Drinkard, Harvey, Johnson (R. G.), Manley, Minus, Mitchell, Moore, Owens, Patton, Roberts, Sasser, Shoemaker, Smith (J), Starkey, Tucker, Venable, Ward and Whatley.

—26

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Harvey to the bill, H. 1 as amended, and the amendment was adopted.

Yeas 32; Nays 22.

Yeas:

Mr. Speaker, Adams (H), Bowling, Campbell, Carothers, Carter, Cates, Clark (G), Cooley, Daniels, Dial, Drinkard, Hammett, Harvey, Johnson (R. G.), Letson, Manley, Minus, Mitchell, Owens, Patton, Pegues, Roberts, Sasser, Shoemaker, Smith (J), Starkey, Turnham, Venable, Whatley, Williams and Wyatt.

—32

Nays:

Reps. Blake, Boles, Buskey, Cabaniss, Cheatwood, Clark (W), Escott, Hall, Harrison, Holley, Howard, Jackson, Johnson (Roy), Moore, Nevett, Olive, Payne, Rains, Seibels, Smith (C), Trammell and Tucker.

—22

AMENDMENT OFFERED

Rep. Harrison offered the following substitute to the bill, H. 1 as amended:

A BILL
TO BE ENTITLED
AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF: In Lauderdale County: In Tract 0101; Block Group 1; Block Group 2; Block Group 3; Block Group 4; Block Group 5; All of Tract 0107; Tract 0108; Tract 0115; Tract 0116; Tract 0117; Tract 0118.

HOUSE DISTRICT 2 SHALL CONSIST OF: In Lauderdale County: In Tract 0101; Block Group 6; Block Group 7; All of Tract 0102; Tract 0103; Tract 0104; Tract 0105; Tract 0106; Tract 0109; Tract 0110; Tract 0111; In Tract 0112; Block 103; Block Group 2; Blocks 401, 402 and 403; All of Tract 0113; Tract 0114.

HOUSE DISTRICT 3 SHALL CONSIST OF: In Colbert County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0209; Tract 0210; Tract 0207, Block 101 only; In Lauderdale County: Tract 0112; Block 101; Block 102; Block 149; Block 150; Block Group 3 (all); Block 405; Block 406; Block Group 5; Block Group 6; Block Group 7; Block Group 9; Enumeration District 444T; Enumeration District 444U; Enumeration District 445.

HOUSE DISTRICT 4 SHALL CONSIST OF: In Colbert County: Leighton Division (All); Tract 207 except Block 101 (land only); In Franklin County: Russellville Division (All); In Phil-Campbell Division (Remainder); Enumeration District 0070U; Enumeration District 0071.

HOUSE DISTRICT 5 SHALL CONSIST OF: In Franklin County: Red Bay Division (All); Vina Division (All); Phil-Campbell Division; Enumeration District 0068; Enumeration District 0069; Enumeration District 0070T; In Marion County: All except Guin Division; In Fayette County: Enumeration District 453 of the Russell Division.

HOUSE DISTRICT 6 SHALL CONSIST OF: Lamar County (All); Fayette County except Enumeration; District 453 of the Russell Division; In Marion county: Guin Division.

HOUSE DISTRICT 7 SHALL CONSIST OF: Lawrence County; In Morgan County: Danville Division, Decatur Division, Tract 0051: Block Group 4; Tract 0051: Block Group 5; Tract 0051: Block Group 3; Tract 0051: Block Group 6, except for Blocks 601 through 609p and except for Blocks 623 and 627.

HOUSE DISTRICT 8 SHALL CONSIST OF: In Morgan County: Decatur Division: Tract 0001, except for Block Groups 5 and 6; Tract 0004; Tract 0005; Tract 0006; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0051: Block Group 1; Block Group 2; Blocks 601 through 609p and Blocks 623 and 627; Block Group 7; Block Group 8; Block Group 9.

HOUSE DISTRICT 9 SHALL CONSIST OF: In Morgan County: Tract 0001; Block Group 5; Block Group 6; Tract 0002; Tract 0003; Tract 0053; Tract 0054.02; Lacey Springs Division.

HOUSE DISTRICT 10 SHALL CONSIST OF: In Morgan County: Eva Division; Falkville Division; In Cullman County: Vinemont Division; Simcoe Division; Baileyton-Joppa Division; Holly Pond Division; Welti Division; Hanceville Division.

HOUSE DISTRICT 11 SHALL CONSIST OF: In Cullman County: Cullman Division; Breman Division; Jones Chapel Division; Crane Hill Division; Logan Division; In Winston County: Addison Division (p): Enumeration District 604T; Enumeration District 605A; Enumeration District 605U; In Double Springs Division: Enumeration District 606; Enumeration District 607; Enumeration District 608; Enumeration District 610B; Enumeration District 610A.

HOUSE DISTRICT 12 SHALL CONSIST OF: In Winston County: In Addison Division (p): Enumeration District 600; Enumeration District 601; Enumeration District 605B; Enumeration District 602; Enumeration District 603; Enumeration District 604U; In Double Springs Division: Enumeration District 609T; Enumeration District 609U; Haleyville Division (all); Lynn Division (all); In Walker County: Carbon Hill Division; Nauvoo Division; Manchester Division; Townley Division; In Oakman Division (p): Enumeration District 912; In Jasper Division (p): Enumeration District 882; Enumeration District 883; Enumeration District 879A; Enumeration District 880; Enumeration District 881; Enumeration District 886; Enumeration District 887; In Remainder of Jasper Division: Enumeration District 884; Enumeration District 885A.

HOUSE DISTRICT 13 SHALL CONSIST OF: All of Walker County except that part included in House District 49 and House District 12.

HOUSE DISTRICT 14 SHALL CONSIST OF: In Jefferson County: Tract 0115; Enumeration District 127; Enumeration District 104; Enumeration District 128T; Enumeration District 128U; Tract 0114; Tract 0113; Tract 0117.04; Tract 0117.06; Tract 0112.06; Tract 0112.05; Tract 0111.03; Blocks 109, 110, 111, 168, Less Tract 0117.04; Blocks 104, 105, 106, 108, 109, 112, and 111; In Blount County: Tract 0506; Tract 0505.

HOUSE DISTRICT 15 SHALL CONSIST OF: In Jefferson County: Tract 0112.04; Block Group 2; Block Group 3; Blocks 945, 946, 919, 920 and 947; Tract 0112.03; Tract 0111.03 except Blocks 109, 110, 111, and 168; Tract 0118.02; Tract 0111.04; Tract 0111.05 except BG9 and Blocks 315, and 337-342. In St. Clair County: Tract 0405; Enumeration District 859; Enumeration District 860; Enumeration District 865.

HOUSE DISTRICT 16 SHALL CONSIST OF: In Limestone County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0207; Tract 0209; Tract 0210; Tract 0211p, Enumeration District 692.

HOUSE DISTRICT 17 SHALL CONSIST OF: In Limestone County: Tract 0208; Tract 0212; Tract 0211 except for Enumeration District 692; In Madison County: Tract 0104; Tract 0105; Tract 0106; Tract 0110; In the Huntsville Division of Madison County: Tract 0014; Tract 0022 except for Blocks 101 through 107; Tract 0023, Blocks 409 through 426; Tract 0013, Blocks 201 through 211; Tract 0105p.

HOUSE DISTRICT 18 SHALL CONSIST OF: In Madison County: Tract 0111; Tract 0112; In Huntsville Division: Tract 0023; Blocks 301-320; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0028.01; Tract 0027.01; Tract 0029.01; Tract 0028.02; Tract 0029.02; Tract 0026, Block Group 3; Tract 0113p; In New Hope Division: Tract 0113p, Block Group 1.

HOUSE DISTRICT 19 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0021; Tract 0012; Tract 0015; Tract 0006.01; Tract 0006.02; Tract 0005.03; Tract 0005.02; Tract 0005.01; Tract 0004.01; Tract 0023; Block Group 1; Block Group 2; Blocks 321-322; Blocks 401-408; Tract 0007.02; Blocks 105-122; Tract 0022; Blocks 101-107; Tract 0013, except for Blocks 201-211.

HOUSE DISTRICT 20 SHALL CONSIST OF: In Madison County: Tract 0107, except for Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population. In Huntsville Division: Tract 0004.02; Tract 0003.02; Tract 0003.01; Tract 0002.02; Tract 0007.01; Tract 0007.02; Blocks 101-104; Tract 0008; Tract 0002.01; Tract 0009.01; Tract 0108p; Block Group 9.

HOUSE DISTRICT 21 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0001; Tract 0010; Tract 0011; Tract 0016; Tract 0017; Tract 0018.01; Tract 0018.02; Tract 0019.01; Tract 0019.02; Tract 0019.03; Tract 0020; Tract 0027.02; Tract 0026; Block Groups 1 and 2; Tract 0109p (in Huntsville Division); Tract 0009.02.

HOUSE DISTRICT 22 SHALL CONSIST OF: In Madison County: Tract 0113, less New Hope Division, Huntsville City (pt.) and less New Hope Division Tract 0113p, Block Group 1; Tract 0114; Tract 0109; Tract 0108, less 0108p, Block Group 9; Tract 0102; Tract 0101; Tract 0103, and Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population; In Jackson County: The Paint Rock Division; The Princeton Division; The Scottsboro Division—BNA 9902, Enumeration District 197; Enumeration District 198.

HOUSE DISTRICT 23 SHALL CONSIST OF: In DeKalb County: The Ider Division (pt.), Enumeration District 0401; In Jackson County: BNA 9901 of the Scottsboro Division; The Stevenson Division; The Bridgeport Division; The Long Island Division; The Pisgah Division; The Section Division; Enumeration District 196 of the Scottsboro Division.

HOUSE DISTRICT 24 SHALL CONSIST OF: In DeKalb County: The Ft. Payne Division; The Valley Head-Mentone Division; The Ider Division (pt.), less E. D. 0401; The Heneger Division; The Rainesville-Sylvania Division; The Fyffe Division.

HOUSE DISTRICT 25 SHALL CONSIST OF: In Marshall County: Town Creek Division; Albertville-Boaz Division, except Enumeration District 817 and Enumeration District 821; In DeKalb County: Collinsville Division; Crossville Division; Geraldine Division.

HOUSE DISTRICT 26 SHALL CONSIST OF: In Marshall County: Grant Division; Union-Grove Division; Arab Division; Guntersville Division; Douglass Division.

HOUSE DISTRICT 27 SHALL CONSIST OF: In Marshall County: Albertville-Boaz Division (p); Enumeration District 817; Enumeration District 821; In Etowah County: Mountainboro Division, except Enumeration District 514A; Altoona Division; In Blount County: All except Haden

Division, Blountsville Division, except: Enumeration District 781; Enumeration District 783; Enumeration District 784.

HOUSE DISTRICT 28 SHALL CONSIST OF: In Etowah County: Tract 0006; Tract 0011; Tract 0013; Tract 0014; Tract 0015; Tract 0016; Tract 0017; Tract 0101; Tract 0102; Tract 0104; Tract 0103(p); Enumeration District 527; Enumeration District 528; Block Group 1; Block Group 2.

HOUSE DISTRICT 29 SHALL CONSIST OF: In Etowah County: Tract 0001; Tract 0002; Tract 0003; Tract 0004; Tract 0005; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0012; Tract 0108; Tract 0109; Tract 0103(p); Block Group 9; Enumeration District 525; Enumeration District 526; Tract 0107(p); Block Group 1; Block Group 2; Block Group 6; Tract 0110(p); Mountainboro Division: Enumeration District 514A.

HOUSE DISTRICT 30 SHALL CONSIST OF: Cherokee County (All); In Etowah County: Tract 0105; Tract 0106; Tract 0107p; Enumeration District 501; Enumeration District 500.

HOUSE DISTRICT 31 SHALL CONSIST OF: In Jefferson County: Tract 0023.05; Tract 0023.06; Tract 0126.02; Tract 0056; Tract 0108.03; Tract 0127.01; Tract 0108.05; Tract 0108.04; Tract 0127.02 except Blocks 114-118; Tract 0128.02; Tract 111.05; Block Group 9.

HOUSE DISTRICT 32 SHALL CONSIST OF: In Jefferson County: Tract 0058; Tract 0107.01; Tract 0107.05; Tract 0107.04; Tract 0107.03; Tract 0107.06; Tract 0048; Tract 0108.01; Tract 0108.02; Tract 0107.02; Tract 0143.02, except Block Group 3; Tract 0103.01; Block Group 6; Block Group 7.

HOUSE DISTRICT 33 SHALL CONSIST OF: In Jefferson County: Tract 0059.05; Tract 0059.04; Tract 0118.01; Block Group 5; Tract 0059.03; Tract 0053.02; Tract 0001; Tract 0021; Tract 0020; Tract 0022; Block Group 3; Block Group 4; Tract 0126.01.

HOUSE DISTRICT 34 SHALL CONSIST OF: In Jefferson County: Tract 0117.03 except Blocks 101 through 107; Tract 0117.05; Tract 0120.02; Tract 0109; Block Group 7; Block Group 5; Tract 0119.01; Tract 0117.04; Blocks 104, 105, 106, 108, 109, 112, and 111; Tract 0059.06; Tract 0112.04; Block Group 1; Block Group 9; Tract 0118.01; Block Group 1; Block Group 6; Block Group 7; Block Group 8.

HOUSE DISTRICT 35 SHALL CONSIST OF: In Jefferson County: Tract 0125; Block Group 1; Block Group 7; Block Group 8; Block Group 9; Blocks 905, 906, and 920; Tract 0123.02; Tract 0124.03; Tract 0124.02; Tract 0121.03; Tract 0121.04; Tract 0116; Tract 0120.01; Tract 0115; Enumeration District 105; Tract 0117.03; Block Group 1; Blocks 101 through 107.

HOUSE DISTRICT 36 SHALL CONSIST OF: In Jefferson County: Tract 0139.02; Tract 0100.02; Tract 0100.1; Tract 0140; Tract 0122; Tract 0141.02 except Block Group 1; In Walker County: Tract 0213; Enumeration District 915; Tract 0214; Enumeration District 910; Enumeration District 909U; Tract 0215; Tract 0216.

HOUSE DISTRICT 37 SHALL CONSIST OF: In Jefferson County: Tract 0130.01; Tract 0130.02; Tract 0057.02; Tract 0052; Tract 0038.03; Tract 0038.02; Tract 0040.

HOUSE DISTRICT 38 SHALL CONSIST OF: In Jefferson County: Tract 0051.01; Tract 0051.02; Tract 0042; Tract 0044; Tract 0041; Tract 0050; Tract 0049; Tract 0029; Tract 0030.02.

HOUSE DISTRICT 39 SHALL CONSIST OF: In Jefferson County: Tract 0014; Tract 0015; Tract 0016; Tract 0047.03; Tract 0047.01; Tract 0046; Tract 0027; Tract 0045; Tract 0028.01; Tract 0028.02; Tract 0047.02; Tract 0026.02; Tract 0026.01.

HOUSE DISTRICT 40 SHALL CONSIST OF: In Jefferson County: Tract 0037; Tract 0036; Tract 0034; Tract 0035; Tract 0135; Tract 0134; Tract 0106.03; Tract 0132; Block Group 3; Block Group 4; Tract 0123.01 except Block Group 7; Tract 0125; Block Group 2; Block Group 4; Block Group 5; Block Group 9 except Blocks 905, 906 and 920.

HOUSE DISTRICT 41 SHALL CONSIST OF: In Jefferson County: Tract 0141.04; Tract 104.01; Tract 0103.02; Tract 0102; Tract 0138.01; Tract 0101; Tract 0138.02; Tract 0139.01; Tract 0143.01; Tract 0123.01; Block Group 7; Tract 0103.01; Block Group 5; Tract 0136.02.

HOUSE DISTRICT 42 SHALL CONSIST OF: In Jefferson County: Tract 0137; Tract 0133; Tract 0105; Tract 0136.01; Tract 0131; Tract 0057.01; Tract 0132; Block Group 1; Block Group 2; Tract 0106.02; Tract 0106.01; Tract 0038.01.

HOUSE DISTRICT 43 SHALL CONSIST OF: In Jefferson County: Tract 0054; Tract 0119.03; Tract 0119.02; Tract 0019.01; Tract 0018.02; Tract 0018.01; Tract 0023.03; Tract 0023.04; Tract 0005; Tract 0053.01; Tract 0002; Tract 0019.02; Tract 0024; Tract 0003; Tract 0022; Block Group 1; Block Group 2.

HOUSE DISTRICT 44 SHALL CONSIST OF: In Jefferson County: Tract 0008; Tract 0007; Tract 0055; Tract 0006; Tract 0017; Tract 0025; Tract 0109 except Block Group 5 and 7; Tract 0004; Tract 0010; Tract 0009.

HOUSE DISTRICT 45 SHALL CONSIST OF: In Jefferson County: Tract 0032; Tract 0033; Tract 0031; Tract 0030.01; Tract 0011; Tract 0012; Tract 0124.01; Tract 0039.

HOUSE DISTRICT 46 SHALL CONSIST OF: Tuscaloosa County; Tract 0116; Tract 0117; Tract 0118; Tract 0119; Tract 0120; Tract 0121, Blocks: 109, 122-130, 133, 202, 204-210, and 234; Tract 0124.

HOUSE DISTRICT 47 SHALL CONSIST OF: Tuscaloosa County: Tuscaloosa City part of Windham Springs Division; Tract 0104.02; Tract 0105; Tract 0108, Block Group 1, Blocks 203 and 235, Block Group 3 except Blocks 301-311 and 340, and Block Group 9; Tract 0109; Tract 0110; Tract 0111; Tract 0112; Tract 0113; Tract 0114; Tract 0115; Tract 0121, Blocks 105-108, 110, 112-120, 211-225 and 238; Brookwood Division.

HOUSE DISTRICT 48 SHALL CONSIST OF: All of Bibb County; Tuscaloosa County; Abernant Division; Coaling-Vance Division; Tract 0108, Block Group 2 except Blocks 203 and 235, Block Group 4, Blocks 301-311, and Block 340; Tract 0121, Blocks 101-104, 226-233; Tract 0122; Tract 0123.

HOUSE DISTRICT 49 SHALL CONSIST OF: In Jefferson County: Tract 0129.01; Tract 0129.04; Tract 0129.02; Tract 0129.03; Tract 0128.01.

HOUSE DISTRICT 50 SHALL CONSIST OF: In Jefferson County: Tract 0104.02; Tract 0141.05; Tract 0141.03; Tract 0142.03; Tract 0142.02; Tract 0142.04; Tract 0144.03; Tract 0144.01; Tract 0141.02; Block Group 1; Tract 0144.02 except Block Group 5; Tract 143.02; Block Group 3.

HOUSE DISTRICT 51 SHALL CONSIST OF: In Jefferson County: Tract 0144.02; Block Group 5; In Shelby County: Tract 0303.01 (except Enumeration District 9); Tract 0303.02; Tract 0304.01; Tract 0304.02; Enumeration District 21; Tract 0306.01; Tract 306.02 (except Enumeration District 14).

HOUSE DISTRICT 52 SHALL CONSIST OF: In Jefferson County: Tract 0110; Blocks 104, 105, 106, 108, 109, 114, 115, 116, 117 and 118 of Block Group 1 in Tract 0127.02; Tract 0111.05; Blocks 315, 337, 338, 339, 340, 341 and 342; In Shelby County: Tract 0301; Tract 0302; Tract 0305; Tract 0306.02, Enumeration District 14 only; Tract 0307.01; Tract 0307.02; Tract 0308; In Talladega County: In Sylacauga Division: Enumeration District 699A.

HOUSE DISTRICT 53 SHALL CONSIST OF: All of Chilton County; In Shelby County: Enumeration District 15; Enumeration District 16; Enumeration District 17; Enumeration District 18; Enumeration District 20.

HOUSE DISTRICT 54 SHALL CONSIST OF: Coosa County (all); In Talladega County: All Sylacauga Division except: Enumeration District 699A; Sycamore-Winterboro Division.

HOUSE DISTRICT 55 SHALL CONSIST OF: In Talladega County: Childersburg Division; Renfore-Lanier Division; Talladega Division; In Lincoln-Eastaboga Division: Enumeration District 656A.

HOUSE DISTRICT 56 SHALL CONSIST OF: In St. Clair County: All of St. Clair County except: In the Springville Division, Town of Springville, Enumeration District 859; Enumeration District 860 and in the Remainder of Springville Division, Enumeration District 865.

HOUSE DISTRICT 57 SHALL CONSIST OF: In Calhoun County: All of Census Tract 19, 20, 21, 22, 23, 24, and that part of Census Tract 25 not included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 58 SHALL CONSIST OF: In Calhoun County: Census Place 1325 and 0200 of the Anniston Division; And; In the remainder of the Anniston Division (Census Place 9999) Tract 1p, 4p, 5p, 6p, 11p, 12p; and All of Census Tracts 13, 14, 15, 16, 17 and only that part of Census Tract 25 included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 59 SHALL CONSIST OF: In Calhoun County: All of Census Tract 18 and that part of the Anniston Division included in the City of Anniston (Census Place 0060) and that part of the Anniston Division included in the City of Hobson (Census Place 0895) and in the remainder of the Anniston Division (Census Place 9999) all of Census Tract 0010p.

HOUSE DISTRICT 60 SHALL CONSIST OF: Clay County; Cleburne County; Munford Division of Talladega County; All of Lincoln-Eastaboga Division of Talladega County, except Enumeration District 656A. Calhoun County; Ohatchee Division.

HOUSE DISTRICT 61 SHALL CONSIST OF: All of Randolph County; In Chambers County: All of the Five Points Division; All of the Milltown Division; All of the Lanett Division; Only E. D. 108 of the LaFayette Division.

HOUSE DISTRICT 62 SHALL CONSIST OF: All of Tallapoosa County not included in E. D. 185 and E. D. 187 of the Camp Hill Division.

HOUSE DISTRICT 63 SHALL CONSIST OF: In Chambers County: In Remainder of LaFayette Division: Enumeration District 107; The Waverly

Division; In Tallapoosa County: In Camp Hill Division: Enumeration District 185; Enumeration District 187; In Lee County: All of the City of Auburn-Opelika Division; In remainder of Auburn-Opelika Division: Tract 0406p; Tract 0409p; Tract 0411p; Tract 0412p of Enumeration District 529; All of Loachapoka-Roxana Division except Tract 0410, Block 215.

HOUSE DISTRICT 64 SHALL CONSIST OF: In Chambers County: All LaFayette City in LaFayette Division Enumeration District 109 of LaFayette Division; All Langdale Division; In Lee County: In Auburn-Opelika Division; Block Groups 1, 2, 3(p) of Tract 0411(p) in City of Opelika; Tract 0412(p) of City of Opelika; All of Tract 0413, except Blocks 406 through 420 of Block Group 4; Blocks 101, 102, 103, 113, 114, 115, 123 and 124 in Block Group 1 of Tract 0414; All of Tract 0415; All of Tract 0416; In Tract 0417(p); Block Group 1p, 2p and Blocks 315, 316, 317, 324 and 325 of Block Group 3; In Remainder of Auburn-Opelika Division; in Tract 0412; Blocks 101 through 109 of Block Group 1; In Tract 417; All of Block Group 1; All of Block Group 2; In the Beulah Division; Enumeration District 526; Enumeration District 527; Enumeration District 528.

HOUSE DISTRICT 65 SHALL CONSIST OF: All of Russell County except Phenix City; In Lee County: In Auburn-Opelika Division: Auburn City: Tract 0405(p); Opelika City: Tract 0405(p); Block Group 4 of Tract 0411p; Blocks 406 through 420 of Tract 0413; All of Tract 0414 except Blocks 101, 102, 103, 113, 114, 115, 123 and 124; In Tract 0417(p): Block Group 3, except Blocks 315, 316, 317, 324p and 325p; In Remainder of Auburn-Opelika Division: Tract 0404p; Tract 0405p; Tract 0417p; All of Block Group 3; All of Beauregard-Marvin Division; Enumeration District 525 of the Beulah Division; All of Smiths-Salem Division; In Loachapoka-Roxana Division; Tract 0410; Block 215.

HOUSE DISTRICT 66 SHALL CONSIST OF: In Russell County: All of Phenix City Division.

HOUSE DISTRICT 67 SHALL CONSIST OF: All of Bullock County; All of Macon County.

HOUSE DISTRICT 68 SHALL CONSIST OF: Pike County; In Barbour County; Lousiville Division; Clayton Division; Eufaula Division, remainder; Enumeration District 325; Enumeration District 326A; Enumeration District 327A.

HOUSE DISTRICT 69 SHALL CONSIST OF: In Barbour County: Clio Division; In Henry County: Abbeville Division; In Dale County: Ozark Division; Echo Division, Enumeration District 650; Fort Rucker Division, remainder; Enumeration District 669; Enumeration District 668.

HOUSE DISTRICT 70 SHALL CONSIST OF: In Barbour County: All of Eufaula Division, except; Enumeration District 325; Enumeration District 326A; Enumeration District 327 in remainder of Eufaula Division; All of Bakerhill Division; In Henry County: All of Shorterville Division; All of Haleburg Division; All of Headland-Newville Division; In Houston County: Tract 0416; Tract 0417; Tract 0419; Enumeration District 764 in remainder of Gordon Division; Tract 0418p in Gordon Division (Town of Gordon).

HOUSE DISTRICT 71 SHALL CONSIST OF: In Houston County: Tract 0402; Tract 0404; Tract 0414p; Block Group 3; Block Group 4; Tract 0405; Tract 0406; Tract 0407; Tract 0408; Tract 0410; Tract 0411; Tract 0412; Tract 0413.

HOUSE DISTRICT 72 SHALL CONSIST OF: In Dale County: Daleville Division; Newton-Midland City Division; Enumeration District 669; Enumeration District 666 of Fort Rucker Division; Enumeration District 651 and Enumeration District 652 of the Echo Division; Enumeration District 664 of remainder of Newton-Midland City Division; In Houston County: Tract 0401; Tract 0403; Tract 0414, all except Block Group 3 and Block Group 4; Tract 0415.

HOUSE DISTRICT 73 SHALL CONSIST OF: In Coffee County: Enumeration District 264; Enumeration District 267; Geneva County; In Houston County: Madrid Division; Cottonwood Division; In Remainder of Gordon Division: Enumeration District 765; Dothan Division; Tract 0409.

HOUSE DISTRICT 74 SHALL CONSIST OF: All of Coffee County except: Enumeration District 264; Enumeration District 267.

HOUSE DISTRICT 75 SHALL CONSIST OF: All of Covington County.

HOUSE DISTRICT 76 SHALL CONSIST OF: In Elmore County: The Tallassee Division; The Eclectic Division; The Wetumpka Division; The Titus Division; The Elmore Division, except Block Group 1 of Tract 0104p in the Prattville City part and the remainder of Elmore Division Tract 0104p Block Group 1.

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0001; Tract 0002; Tract 0003; Tract 0004, Blocks 114, 201, 202, Block Group 3, 4, 5, 6, 7, 8; Tract 0006; Tract 0007, Block Group 5, 6, 7; Tract 0012; Tract 0015, Blocks 318, 319, 320, 321, 501, 502, 503, 504, 505, 506, 507, 531, 532, 725; Block Group 4; Tract 0051.01, Blocks 913p, 928, 929, 932p, 935, 936, 940, 941, 951, 955, 958, 960, 961p, 963p, 964, 965, 966, 968p, 969p, 971, 973p, 989, 801, 802p, 904, 910, 911, 912, 913p, 927, 932p, 942, 959, 961p, 962p, 963p, 968p, 969p, 973p; Tract 0051.02; Tract 0011, Block Group 1, 5, 7, 8; Blocks 201, 203, 204, 205, 209, 210, 211, 212, 215, 222, 225, 604, 605, 615, 625, 626, 628, 629, 632, 634; Tract 0013, Blocks 401, 408, 409, 410, 411, 407, 406.

HOUSE DISTRICT 78 SHALL CONSIST OF: In Montgomery County: Ramer Division; Pike Road Division; Pine Level Division; Mt. Meigs Division; Montgomery Division; Tract 0029; Tract 0032; Tract 0051.01, Blocks 945, 943, 962p, 949; Tract 0054.01; Tract 0054.02; Tract 0054.03; Tract 0054.04; Tract 0054.05; Tract 0056.03, except Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956; In Remainder of Montgomery Division; Tract 0056.03p.

HOUSE DISTRICT 79 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0004, Blocks 106, 103, 105, 113, 117, 109, 118, 102, 101, 209, 210, 208, 211, 207, 205, 206, 115, 112, 111, 212, 213, 204; Tract 0025; Tract 0051.03; Tract 0016; Tract 0017; Tract 0027; Tract 0026; Tract 0005; Tract 0019; Tract 0018; Tract 0053.01; Tract 0053.02.

HOUSE DISTRICT 80 SHALL CONSIST OF: In Montgomery County: Tract 0011; Blocks 216, 217, 218, 219, 220, 224, 601; Block Group 3, 4; Tract 0010; Tract 0013; Blocks 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315; Tract 0022; Blocks 409, 410, 411, 606, 607, 608, 701, 702, 703, 704, 705, 706, 707, 708; Block Group 5, 8; Tract 0023; Block Group 1, 2, 3, 5; Blocks 401, 402, 403, 404, 405, 406, 407, 409, 410, 411, 412, 415, 416, 418; Tract 0024; Tract 0059.02; Tract 0060.01; Blocks 903, 902, 988, 989; Tract 0060.02; Tract 0030.

HOUSE DISTRICT 81 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0007; Block Group 1, 2, 3, 4; Tract 0013; Block Group 1, 2; Blocks 301, 308, 309, 402, 403, 405, 415; Tract 0015; Blocks 106, 107, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 510, 516, 517, 518, 519, 530; Block Group 2; Tract 0020; Tract 0021; Tract 0022; Block Group 1, 2; Blocks 301, 302, 303, 304, 601, 602, 603, 604, 605, 709, 710; Tract 0028; Tract 0033; Tract 0056.02; Tract 0014; Tract 0056.03, Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956.

HOUSE DISTRICT 82 SHALL CONSIST OF: In Autauga County: Autaugaville Division; Prattville Division; Marbury Division, Enumeration District 775; In Lowndes County: Lowndesboro Division; Benton Collierine Division; In Elmore County: Deatsville Division; Elmore Division; Block Group 1 of Tract 0104p in the Prattville City part; The Remainder of Elmore Division; Tract 0104p Block Group 1.

HOUSE DISTRICT 83 SHALL CONSIST OF: Wilcox County; Pineapple Division; Camden Division; Alberta Division; Lowndes County; Braggs Division; Ft. Deposit Division; Hayneville Division; Montgomery County; Montgomery Division; Tract 0009; Tract 0060.01; Less Blocks 903, 902, 988, 989; Hope Hull Division; Tract 0059.01; Montgomery Division; Tract 0023; Blocks 414, 413; Tract 0022; Blocks 407, 406, 405, 310, 309, 308, 307, 306, 311, 403, 404, 401, 422, 903, 408, 305; Tract 0031.

HOUSE DISTRICT 84 SHALL CONSIST OF: Butler County; Crenshaw County.

HOUSE DISTRICT 85 SHALL CONSIST OF: In Dallas County: City of Selma minus BNA-9901, Block G-1; Enumeration District 55; Enumeration District 56-B; Enumeration District 56-V; Enumeration District 51; Enumeration District 50; In Autauga County: Enumeration District 775; Enumeration District 776; Enumeration District 777; Enumeration District 778; Enumeration District 779.

HOUSE DISTRICT 86 SHALL CONSIST OF: All of Perry County; In Dallas County: Enumeration District 52-U; Enumeration District 69; Enumeration District 59; Enumeration District 53; Enumeration District M-62; Enumeration District 61; Enumeration District 67; Enumeration District 66; Enumeration District 68; Enumeration District 52-T; Enumeration District 54; Enumeration District 58; Enumeration District 57; Enumeration District 65; Enumeration District 63; Enumeration District 56-A; Town of Orrville; In City of Selma, BNA-9901, Block G-1.

HOUSE DISTRICT 87 SHALL CONSIST OF: All of Marengo County; In Hale County: River Bend Division; Prairie Eden-Newbern Division; Greensboro Division; Mt. Herman Valley Division; Moundville Division.

HOUSE DISTRICT 88 SHALL CONSIST OF: All of Greene County; Pickens County: Aliceville Division; Carrollton Division; Ethelsville Division; Raleigh Division; Hale County: Sawyerville Division; Stewart-Akron Division; Tuscaloosa County: Fosters Division; Big Sandy-Duncanville Division; Tract 0125 (all).

HOUSE DISTRICT 89 SHALL CONSIST OF: Tuscaloosa County: Coker Division; Elrod-Moore's Bridge Division; Samantha Division; Windham Springs Division; less Tuscaloosa City part; Tract 0104.01; Tuscaloosa Division part of; Tract 0102; Pickens County: Gordo Division; Reform Division.

HOUSE DISTRICT 90 SHALL CONSIST OF: All of Sumter County; All of Choctaw County; Washington County: Millry Division; In Remainder of Chatom Division, Enumeration District 129.

HOUSE DISTRICT 91 SHALL CONSIST OF: Escambia County.

HOUSE DISTRICT 92 SHALL CONSIST OF: Clarke County; In Monroe County: Vredenburgh Division; Monroeville Division, Enumeration District 109T; Monroeville Division, Enumeration District 110; Uriah Division; In Baldwin County: Stockton Division.

HOUSE DISTRICT 93 SHALL CONSIST OF: Conecuh County; In Monroe County: Beatrice Division; Frisco City Division; Peterman Division; Monroeville Division, Enumeration District 109U; Enumeration District 106, Enumeration District 107, Enumeration District 108U, Enumeration District 108T; In Wilcox County: Coy-Fatama Division; Pinehill Division.

HOUSE DISTRICT 94 SHALL CONSIST OF: In Baldwin County: Foley Division; Fairhope Division; Elberta Division; Summerdale Division; Robertsdale Division, Enumeration District 406, Enumeration District 407T, Enumeration District 407U; In Daphne Division: Block 254; Block 248; Block 238.

HOUSE DISTRICT 95 SHALL CONSIST OF: In Baldwin County: Bay Minette Division; Daphne Division, except Blocks 254, 248 and 238; Loxley Division; Silverhill Division; Robertsdale Division, Enumeration District 404T; Enumeration District 404U; Enumeration District 408; Enumeration District 439; Enumeration District 410.

HOUSE DISTRICT 96 SHALL CONSIST OF: In Washington County: Enumeration District 127; Enumeration District 128; Enumeration District 130; Enumeration District 131; Enumeration District 132; Enumeration District 133; Enumeration District 134; Enumeration District 135; Enumeration District 136; In Mobile County: Remainder Mobile Division of Tract 0034.03; In Citronelle Division: In Tract 0059; Enumeration District 532; Enumeration District 533A; Enumeration District 533B; Tract 0060; Remainder Mobile Division, In Tract 0061p: Blocks 801; 803; 804; 805; 807; 809; 810; 811; 812; 813; 814; 815; 816; 817; 818; 819; 820; 823; 808; Enumeration District 571; Remainder Mobile Division of Tract 0034.03: (Partial); Block Group 4; Block 510p; In Semmes Division: In Tract 0062: Enumeration District 535; Enumeration District 536; Enumeration District 534; Tract 0063; In Tanner-Williams Division of Tract 0064: Block Group 1; Block Group 2; Blocks 301-307; Block 319; 320; 322; 323; Block Group 4; Block 901; 906; Blocks 801-819; Block 821; 822; 823; 843; 846; 849.

HOUSE DISTRICT 97 SHALL CONSIST OF: In Mobile County: Mobile Division: Tract 0038.02p; Tract 0038.99; Tract 0054p; Tract 0056p; Tract 0057p, except Blocks 936-946, and 988p and Enumeration District 540; Creola Town: Tract 0038.02p; Tract 0057p; Chickasaw City: Tract 0038.02p; Tract 0050p; Tract 0051; Tract 0052; Tract 0053p; Tract 0054p; Prichard City: Tract 0050p; Saraland City: Tract 0054p; Tract 0055; Tract 0056p; Tract 0057p, (Block 924p, 923p, 988p, 922); Satsuma City: Tract 0056p; Tract 0057p; Mt. Vernon Division: Tract 0058: Enumeration Districts 525-529; Saraland City: Tract 0061p; Prichard City: Tract 0061p: Blocks 203, 204, 225, 226, 227p, 901p and 902; Remainder of Mobile Division: Tract 0061p: Blocks 227p, 802, 806, 821, 824, 825, 826, 827, 829, 901p, 905, 906, 912, 913p, 918, 919p, 924, 972, 970, 964p, 833, 979, 980, 834, 832, 830, 831, 981, 982, 976 and 958.

HOUSE DISTRICT 98 SHALL CONSIST OF: In Mobile County: Tract 0026 (Partial); Blocks 101, 102, 115, 604 and 605; Mobile Division: Tract 0034.02p (Block 127p only); Prichard City: Tract 0034.02p; Mobile City: Tract 0039.01p; Prichard City: Tract 0039.01p; Mobile City: Tract 0039.02p; Prichard City: Tract 0039.02p; Prichard City: Tract 0040; Tract 0041; Tract 0042 (Partial); Block Group 1; Blocks 201-203; Blocks 210-219; Block Group 3; Mobile City: Tract 0045p; Prichard City: Tract 0045p; Tract 0046 (Partial); Block Group 1; Block Group 2; Tract 0047; Tract 0048; In Mobile City: Tract 0049p; In Prichard City: Tract 0049p; Tract 0061p (Partial); Blocks 205-224; Block Group 3; Block Group 4; Blocks 944p-975; Remainder of Mobile Division: Tract 0061p; Block 944p.

HOUSE DISTRICT 99 SHALL CONSIST OF: In Mobile County: Tract 0005 (Partial) (All except Block Group 3); Tract 0006; Tract 0007.01; Tract 0007.02; Tract 0008; In Mobile Division: Mobile City: Tract 0012.01p; Prichard City: Tract 0012.01p; Mobile City: Tract 0026 (All except Blocks 101, 102, 115, 604 and 605); Tract 0038.01; Prichard City: Tract 0042 (Partial); Blocks 204-209; Mobile City: Tract 0043p; Tract 0044p; Tract 0045p (Blocks 113p, 128p, 129p); Prichard City: Tract 0043p; Tract 0044p; Tract 0046 (Partial) (Block Group 3 only).

HOUSE DISTRICT 100 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0034.03; Tract 0034.04; Tract 0034.05 (Partial) (All except Block 133); Tract 0036.01; Tract 0036.02; Tract 0036.03; Tract 0037.01; In Tanner-Williams Division (Partial): Tract 0064; Blocks 308-318; Blocks 831-842, 844, 845; Block Group 9; Enumeration District 543; Enumeration District 542T; Enumeration District 542U; Blocks 847, 848, 850-856; In Remainder of Mobile Division: Tract 0057p; Blocks 936-946; Block 988p; Enumeration District 540; In Remainder Mobile Division: Tract 0034.03; Block Group 9; Blocks 501-504.

HOUSE DISTRICT 101 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0031 (Partial); Block Group 1; Block Group 3; Tract 0032.01; Tract 0032.02; Tract 0032.03 (Partial); Tract 0033.01; Tract 0033.02; Tract 0034.01; Tract 0034.02 (Mobile City only); Tract 0034.05 (Block 133 only); Tract 0034.06; Tract 0035.01; Tract 0035.02; Tract 0061p; Block 212p; Block 977p; Block 978p; In Remainder of Mobile Division: Tract 0061p; Block 212p; Block 213; Block 977p; Block 978p.

HOUSE DISTRICT 102 SHALL CONSIST OF: In Mobile County: Tract 0009.01; Tract 0009.02; Tract 0009.03; Tract 0014 (Blocks 502-505); Tract 0021 (Partial) (Blocks 102-109); Tract 0022 (Partial); Block Group 1; Block Group 2; Block Group 3; Block Group 4; Tract 0023.01; Tract 0023.02; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0027; Tract 0028; Tract 0029; Tract 0031 (Partial) (Block 101 only).

HOUSE DISTRICT 103 SHALL CONSIST OF: In Mobile County: Tract 0001; Tract 0002; Tract 0003; Tract 0004.01; Tract 0004.02; Tract 0005 (Block Group 3 only); Tract 0010.01; Tract 0010.02; Tract 0011; Tract 0012.02; Tract 0012.99; Tract 0013.01; Tract 0013.02; Tract 0014 (Minus Blocks 502-505); Tract 0015.01; Tract 0015.02; Tract 0016; Tract 0017; Tract 0018 (Partial); Blocks 101, 102, 104, 112, 113, 122, 123; Tract 0019.01 (Block 101 only); Tract 0019.02 (Partial); Blocks 101-115; Block 120; Block 121; Blocks 302-313; In Mobile Division: In Mobile City: Tract 0038.02p (Block 925p only); Tract 0038.99; Tract 0045p (Partial); Blocks 101p, 124p, 125p; Tract 0053p; Tract 0054p; Tract 0056p.

HOUSE DISTRICT 104 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0018 (Partial); Blocks 105-111, 114-

121 and 124; Block Group 2; Tract 0019.01 (Partial); (All except Block 101); Tract 0019.02 (Partial); Blocks 116, 117; Block Group 2; Blocks 314 and 315; Tract 0020; Tract 0021 (Partial); Blocks 112-118; Block Group 2; Block Group 3; Block Group 4; Tract 0030; Tract 0031 (Partial); Block Group 2; Tract 0037.02; Tract 0068p (Partial); Block Group 230p; In Mobile Division (Partial): Tract 0068: Block Group 1; Block Group 2; Block Group 3; In Mobile County: In Theodore Division: Tract 0069 (Partial): Blocks 125, 126, 151, 152; Tract 0070 (Partial); Block Group 1, except Blocks 137-140; Block Group 9; Tract 0071 (Partial): Enumeration District 557; Enumeration District 558; Enumeration District 559.

HOUSE DISTRICT 105 SHALL CONSIST OF: In Mobile County: In Grand Bay Division: Tract 0065; Tract 0066; Tract 0067; In Theodore Division (Partial): Tract 0069 (Partial); Block Group 1, Minus Blocks 125, 126, 151, 152; Block Group 3; Block Group 2; Tract 0070 (Partial): Blocks 137-140; Tract 0071 (Partial): Block Group 1; In Bayou la Batre Division: Tract 0072.01; Tract 0072.02; Tract 0072.99; Tract 0073.

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each Senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the purpose of electing members of the House of representatives of the Alabama Legislature as follows:

- District 1 House District Nos. 1, 2 and 3;
- District 2 House District Nos. 4, 5 and 6;
- District 3 House District Nos. 7, 8 and 9;
- District 4 House District Nos. 10, 11 and 12;
- District 5 House District Nos. 13, 14 and 15;
- District 6 House District Nos. 16, 17 and 18;
- District 7 House District Nos. 19, 20 and 21;
- District 8 House District Nos. 22, 23 and 24;
- District 9 House District Nos. 25, 26 and 27;
- District 10 House District Nos. 28, 29 and 30;
- District 11 House District Nos. 31, 32 and 33;
- District 12 House District Nos. 34, 35 and 36;
- District 13 House District Nos. 37, 38 and 39;
- District 14 House District Nos. 40, 41 and 42;
- District 15 House District Nos. 43, 44 and 45;
- District 16 House District Nos. 46, 47 and 48;
- District 17 House District Nos. 49, 50 and 51;
- District 18 House District Nos. 52, 53 and 54;
- District 19 House District Nos. 55, 56 and 57;

District 20 House District Nos. 58, 59 and 60;
 District 21 House District Nos. 61, 62 and 63;
 District 22 House District Nos. 64, 65 and 66;
 District 23 House District Nos. 67, 68 and 69;
 District 24 House District Nos. 70, 71 and 72;
 District 25 House District Nos. 73, 74 and 75;
 District 26 House District Nos. 76, 77 and 78;
 District 27 House District Nos. 79, 80 and 81;
 District 28 House District Nos. 82, 83 and 84;
 District 29 House District Nos. 85, 86 and 87;
 District 30 House District Nos. 88, 89 and 90;
 District 31 House District Nos. 91, 92 and 93;
 District 32 House District Nos. 94, 95 and 96;
 District 33 House District Nos. 97, 98 and 99;
 District 34 House District Nos. 100, 101 and 102;
 District 35 House District Nos. 103, 104 and 105.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE TABLED

On motion of Rep. Manley, the substitute offered by Rep. Harrison to the bill, H. 1 as amended, was tabled.

Yeas 60; Nays 14.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Biddle, Boles, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Cooley, Daniels, Dial, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Laird, Lewis, McKee, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

Nays:

Reps. Buskey, Cheatwood, Clark (W), Escott, Harrison, Holmes, Horn, Howard, Jackson, Kennedy, Nevett, Reed, Shavers and Turner.

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 37. MOURNING THE DEATH OF MISS MITTIE WILEY MILLER OF MONTGOMERY, ALABAMA.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

H. 1 RESUMED

AMENDMENT OFFERED

Rep. Smith (J) offered the following amendment to the bill, H. 1 as amended:

In District 22, page 19, line 25, delete the language "Enumeration District 198" and insert in lieu thereof:

Enumeration District 196

In District 23, page 20, line 17, delete the language "Enumeration District 196 of the Scottsboro Division" and insert in lieu thereof:

Enumeration District 198

In District 23, page 20, line 18, insert the following language:

Enumeration District 195

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 53; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Boles, Cabaniss, Campbell, Carothers, Carter, Cates, Cooley, Crow, Daniels, Dial, Drinkard, Edwards,

Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Holley, Johnson (R. G.), Johnson (Roy), Lewis, Minus, Mitchell, Nevett, Olive, Owens, Parker, Patton, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Zoghby.

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Nay: Rep. Shavers.

—1

MOTION TO RECESS LOST

The motion offered by Rep. Tucker that the House recess for twenty minutes was lost.

Yeas 10; Nays 63.

Yeas:

Reps. Albright, Buskey, Clark (W), Hall, Holley, Jackson, Naramore, Nevett, Rains and Shavers.

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Nays:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Biddle, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Cooley, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Johnson (R. G.), Johnson (Roy), Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

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SUBSTITUTE OFFERED

Rep. Tucker offered the following substitute to the bill, H. 1 as amended:

A BILL TO BE ENTITLED AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF: In Lauderdale County: In Tract 0101: Block Group 1; Block Group 2; Block Group 3; Block Group 4; Block Group 5; All of Tract 0107; Tract 0108; Tract 0115; Tract 0116; Tract 0117; Tract 0118.

HOUSE DISTRICT 2 SHALL CONSIST OF: In Lauderdale County: In Tract 0101: Block Group 6; Block Group 7; All of Tract 0102; Tract 0103;

Tract 0104; Tract 0105; Tract 0106; Tract 0109; Tract 0110; Tract 0111; In Tract 0112: Block 103; Block Group 2; Blocks 401, 402 and 403; All of Tract 0113; Tract 0114.

HOUSE DISTRICT 3 SHALL CONSIST OF: In Colbert County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0209; Tract 0210; Tract 0207, Block 101 only; In Lauderdale County: Tract 0112; Block 101; Block 102; Block 149; Block 150; Block Group 3 (all); Block 405; Block 406; Block Group 5; Block Group 6; Block Group 7; Block Group 9; Enumeration District 444T; Enumeration District 444U; Enumeration District 445.

HOUSE DISTRICT 4 SHALL CONSIST OF: In Colbert County: Leighton Division (All); Tract 207 except Block 101 (land only); In Franklin County: Russellville Division (All); In Phil-Campbell Division (Remainder); Enumeration District 0070U; Enumeration District 0071.

HOUSE DISTRICT 5 SHALL CONSIST OF: In Franklin County: Red Bay Division (All); Vina Division (All); Phil-Campbell Division; Enumeration District 0068; Enumeration District 0069; Enumeration District 0070T; In Marion County: All except Guin Division; In Fayette County: Enumeration District 453 of the Russell Division.

HOUSE DISTRICT 6 SHALL CONSIST OF: Lamar County (All); Fayette County except Enumeration District 453 of the Russell Division; In Marion County: Guin Division.

HOUSE DISTRICT 7 SHALL CONSIST OF: Lawrence County; In Morgan County: Danville Division; Decatur Division; Tract 0051: Block Group 4; Tract 0051: Block Group 5; Tract 0051: Block Group 3; Tract 0051: Block Group 6, except for Blocks 601 through 609p and except for Blocks 623 and 627.

HOUSE DISTRICT 8 SHALL CONSIST OF: In Morgan County: Decatur Division: Tract 0001, except for Block Groups 5 and 6; Tract 0004; Tract 0005; Tract 0006; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0051: Block Group 1; Block Group 2; Blocks 601 through 609p and Blocks 623 and 627; Block Group 7; Block Group 8; Block Group 9.

HOUSE DISTRICT 9 SHALL CONSIST OF: In Morgan County: Tract 0001; Block Group 5; Block Group 6; Tract 0002; Tract 0003; Tract 0053; Tract 0054.02; Lacey Springs Division.

HOUSE DISTRICT 10 SHALL CONSIST OF: In Morgan County: Eva Division; Falkville Division; In Cullman County: Vinemont Division; Simcoe Division; Baileyton-Joppa Division; Holly Pond Division; Welti Division; Hanceville Division.

HOUSE DISTRICT 11 SHALL CONSIST OF: In Cullman County: Cullman Division; Breman Division; Jones Chapel Division; Crane Hill Division; Logan Division; In Winston County: Addison Division (p): Enumeration District 604T; Enumeration District 605A; Enumeration District 605U; In Double Springs Division: Enumeration District 606; Enumeration District 607; Enumeration District 608; Enumeration District 610B; Enumeration District 610A.

HOUSE DISTRICT 12 SHALL CONSIST OF: In Winston County: In Addison Division (p): Enumeration District 600; Enumeration District 601;

Enumeration District 605B; Enumeration District 602; Enumeration District 603; Enumeration District 604U; In Double Springs Division: Enumeration District 609T; Enumeration District 609U; Haleyville Division (all); Lynn Division (all); In Walker County: Carbon Hill Division; Nauvoo Division; Manchester Division; Townley Division; In Oakman Division (p): Enumeration District 912; In Jasper Division (p): Enumeration District 882; Enumeration District 883; Enumeration District 879A; Enumeration District 880; Enumeration District 881; Enumeration District 886; Enumeration District 887; In Remainder of Jasper Division: Enumeration District 884; Enumeration District 885A.

HOUSE DISTRICT 13 SHALL CONSIST OF: All of Walker County except that part included in House District 49 and House District 12.

HOUSE DISTRICT 14 SHALL CONSIST OF: In Jefferson County: Tract 0115; Enumeration District 127; Enumeration District 104; Enumeration District 128T; Enumeration District 128U; Tract 0114; Tract 0113; Tract 0117.04; Tract 0117.06; Tract 0112.06; Tract 0112.05; Tract 0111.03; Blocks 109, 110, 111, 168, Less Tract 0017.04; Blocks 104, 105, 106, 108, 109, 112, and 111; In Blount County: Tract 0506; Tract 0505.

HOUSE DISTRICT 15 SHALL CONSIST OF: In Jefferson County: Tract 0112.04; Block Group 2; Block Group 3; Blocks 945, 946, 919, 920 and 947; Tract 0112.03; Tract 0111.03 except Blocks 109, 110, 111, and 168; Tract 0118.02; Tract 0111.04; Tract 0111.05 except Block Group 9 and Blocks 315, and 337-342; In St. Clair County: Tract 0405; Enumeration District 859; Enumeration District 860; Enumeration District 865.

HOUSE DISTRICT 16 SHALL CONSIST OF: In Limestone County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0207; Tract 0209; Tract 0210; Tract 0211p, Enumeration District 692.

HOUSE DISTRICT 18 SHALL CONSIST OF: In Limestone County: Tract 0208; Tract 0212; Tract 0211 except for Enumeration District 692; In Madison County: Tract 0104; Tract 0105; Tract 0106; Tract 0110; In the Huntsville Division of Madison County: Tract 0014; Tract 0022 except for Blocks 101 through 107; Tract 0023, Blocks 409 through 426; Tract 0013, Blocks 201 through 211; Tract 0105p.

HOUSE DISTRICT 17 SHALL CONSIST OF: In Madison County: Tract 0111; Tract 0112; In Huntsville Division: Tract 0023; Blocks 301-320; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0028.01; Tract 0027.01; Tract 0029.01; Tract 0028.02; Tract 0029.02; Tract 0026, Block Group 3; Tract 0113p; In New Hope Division: Tract 0113p, Block Group 1.

HOUSE DISTRICT 19 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0021; Tract 0012; Tract 0015; Tract 0006.01; Tract 0006.02; Tract 0005.03; Tract 0005.02; Tract 0005.01; Tract 0004.01; Tract 0023; Block Group 1; Block Group 2; Blocks 321-322; Blocks 401-408; Tract 0007.02; Blocks 105-122; Tract 0022; Blocks 101-107; Tract 0013, except for Blocks 201-211.

HOUSE DISTRICT 20 SHALL CONSIST OF: In Madison County: Tract 0107, except for Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population.; In Huntsville Division: Tract 0004.02; Tract 0003.02; Tract 0003.01; Tract 0002.02; Tract 0007.01; Tract 0007.02; Blocks 101-104; Tract 0008; Tract 0002.01; Tract 0009.01; Tract 0108p; Block Group 9.

HOUSE DISTRICT 21 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0001; Tract 0010; Tract 0011; Tract 0016; Tract 0017; Tract 0018.01; Tract 0018.02; Tract 0019.01; Tract 0019.02; Tract 0019.03; Tract 0020; Tract 0027.02; Tract 0026: Block Groups 1 and 2; Tract 0109p (in Huntsville Division); Tract 0009.02.

HOUSE DISTRICT 22 SHALL CONSIST OF: In Madison County: Tract 0113, less New Hope Division, Huntsville City (pt.) and less New Hope Division Tract 0113p, Block Group 1; Tract 0114; Tract 0109; Tract 0108, less 0108p, Block Group 9; Tract 0102; Tract 0101; Tract 0103, and Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population; In Jackson County: The Paint Rock Division; The Princeton Division; The Scottsboro Division—BNA 9902, Enumeration District 197; Enumeration District 198.

HOUSE DISTRICT 23 SHALL CONSIST OF: In DeKalb County: The Ider Division (p.t.), Enumeration District 0401; In Jackson County: BNA 9901 of the Scottsboro Division; The Stevenson Division; The Bridgeport Division; The Long Island Division; The Pisgah Division; The Section Division; Enumeration District 196 of the Scottsboro Division.

HOUSE DISTRICT 24 SHALL CONSIST OF: In DeKalb County: The Ft. Payne Division; The Valley Head-Mentone Division; The Ider Division (pt.), less E. D. 0401; The Heneger Division; The Rainesville-Sylvania Division; The Fyffe Division.

HOUSE DISTRICT 25 SHALL CONSIST OF: In Marshall County: Town Creek Division; Albertville-Boaz Division, except Enumeration District 817 and Enumeration District 821; In DeKalb County: Collinsville Division; Grossville Division; Geraldine Division.

HOUSE DISTRICT 26 SHALL CONSIST OF: In Marshall County: Grant Division; Union-Grove Division; Arab Division; Guntersville Division; Douglass Division.

HOUSE DISTRICT 27 SHALL CONSIST OF: In Marshall County: Albertville-Boaz Division (p): Enumeration District 817; Enumeration District 821; In Etowah County: Mountainboro Division, except Enumeration District 514A; Altoona Division; In Blount County: All except Haden Division; Blountsville Division, except; Enumeration District 781; Enumeration District 783; Enumeration District 784.

HOUSE DISTRICT 28 SHALL CONSIST OF: In Etowah County: Tract 0006; Tract 0011; Tract 0013; Tract 0014; Tract 0015; Tract 0016; Tract 0017; Tract 0101; Tract 0102; Tract 0104; Tract 0103(p): Enumeration District 527; Enumeration District 528; Block Group 1; Block Group 2.

HOUSE DISTRICT 29 SHALL CONSIST OF: In Etowah County: Tract 0001; Tract 0002; Tract 0003; Tract 0004; Tract 0005; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0012; Tract 0108; Tract 0109; Tract 0103(p): Block Group 9; Enumeration District 525; Enumeration District 526; Tract 0107(p): Block Group 1; Block Group 2; Block Group 6; Tract 0110(p): Mountainboro Division: Enumeration District 514A.

HOUSE DISTRICT 30 SHALL CONSIST OF: Cherokee County (All); In Etowah County: Tract 0105; Tract 0106; Tract 0107p: Enumeration District 501; Enumeration District 500.

HOUSE DISTRICT 31 SHALL CONSIST OF: In Jefferson County: Tract 0023.05; Tract 0023.06; Tract 0126.02; Tract 0056; Tract 0108.03; Tract

0127.01; Tract 0108.05; Tract 0108.04; Tract 0127.02 except Blocks 114-118; Tract 0128.02; Tract 111.05; Block Group 9.

HOUSE DISTRICT 32 SHALL CONSIST OF: In Jefferson County: Tract 0058; Tract 0107.01; Tract 0107.05; Tract 0107.04; Tract 0107.03; Tract 0107.06; Tract 0048; Tract 0108.01; Tract 0108.02; Tract 0107.02; Tract 0143.02 except Block Group 3; Tract 0103.01; Block Group 6; Block Group 7.

HOUSE DISTRICT 33 SHALL CONSIST OF: In Jefferson County: Tract 0059.05; Tract 0059.04; Tract 0118.01; Block Group 5; Tract 0059.03; Tract 0053.02; Tract 0001; Tract 0021; Tract 0020; Tract 0022; Block Group 3; Block Group 4; Tract 0126.01.

HOUSE DISTRICT 34 SHALL CONSIST OF: In Jefferson County: Tract 0117.03 except Blocks 101 through 107; Tract 0117.05; Tract 0120.02; Tract 0109; Block Group 7; Block Group 5; Tract 0119.01; Tract 0117.04; Blocks 104, 105, 106, 108, 109, 112, and 111; Tract 0059.06; Tract 0112.04; Block Group 1; Block Group 9; Tract 0118.01; Block Group 1; Block Group 6; Block Group 7; Block Group 8.

HOUSE DISTRICT 35 SHALL CONSIST OF: In Jefferson County: Tract 0125; Block Group 1; Block Group 7; Block Group 8; Block Group 9; Blocks 905, 906, and 920; Tract 0123.02; Tract 0124.03; Tract 0124.02; Tract 0121.03; Tract 0121.04; Tract 0116; Tract 0120.01; Tract 0115; Enumeration District 105; Tract 0117.03; Block Group 1; Blocks 101 through 107.

HOUSE DISTRICT 36 SHALL CONSIST OF: In Jefferson County: Tract 0139.02; Tract 0100.02; Tract 0100.01; Tract 0140; Tract 0122; Tract 0141.02 except Block Group 1; In Walker County: Tract 0213; Enumeration District 915; Tract 0214; Enumeration District 910; Enumeration District 909U; Tract 0215; Tract 0216.

HOUSE DISTRICT 37 SHALL CONSIST OF: In Jefferson County: Tract 0130.01; Tract 0130.02; Tract 0057.02; Tract 0052; Tract 0038.03; Tract 0038.02; Tract 0040.

HOUSE DISTRICT 38 SHALL CONSIST OF: In Jefferson County: Tract 0051.01; Tract 0051.02; Tract 0042; Tract 0044; Tract 0041; Tract 0050; Tract 0049; Tract 0029; Tract 0030.02.

HOUSE DISTRICT 39 SHALL CONSIST OF: In Jefferson County: Tract 0014; Tract 0015; Tract 0016; Tract 0047.03; Tract 0047.01; Tract 0046; Tract 0027; Tract 0045; Tract 0028.01; Tract 0028.02; Tract 0047.02; Tract 0026.02; Tract 0026.01.

HOUSE DISTRICT 40 SHALL CONSIST OF: In Jefferson County: Tract 0037; Tract 0036; Tract 0034; Tract 0035; Tract 0135; Tract 0134; Tract 0106.03; Tract 0132; Block Group 3; Block Group 4; Tract 0123.01 except Block Group 7; Tract 0125; Block Group 2; Block Group 4; Block Group 5; Block Group 9 except Blocks 905, 906 and 920.

HOUSE DISTRICT 41 SHALL CONSIST OF: In Jefferson County: Tract 0141.04; Tract 104.01; Tract 0103.02; Tract 0102; Tract 0138.01; Tract 0101; Tract 0138.02; Tract 0139.01; Tract 0143.01; Tract 0123.01; Block Group 7; Tract 0103.01; Block Group 5; Tract 0136.02.

HOUSE DISTRICT 42 SHALL CONSIST OF: In Jefferson County: Tract 0137; Tract 0133; Tract 0105; Tract 0136.01; Tract 0131; Tract 0057.01; Tract 0132; Block Group 1; Block Group 2; Tract 0106.02; Tract 0106.01; Tract 0038.01.

HOUSE DISTRICT 43 SHALL CONSIST OF: In Jefferson County: Tract 0054; Tract 0119.03; Tract 0119.02; Tract 0019.01; Tract 0018.02; Tract 0018.01; Tract 0023.03; Tract 0023.04; Tract 0005; Tract 0053.01; Tract 0002; Tract 0019.02; Tract 0024; Tract 0003; Tract 0022; Block Group 1; Block Group 2.

HOUSE DISTRICT 44 SHALL CONSIST OF: In Jefferson County: Tract 0008; Tract 0007; Tract 0055; Tract 0006; Tract 0017; Tract 0025; Tract 0109 except Block Group 5 and 7; Tract 0004; Tract 0010; Tract 0009.

HOUSE DISTRICT 45 SHALL CONSIST OF: In Jefferson County: Tract 0032; Tract 0033; Tract 0031; Tract 0030.01; Tract 0011; Tract 0012; Tract 0124.01; Tract 0039.

HOUSE DISTRICT 46 SHALL CONSIST OF: Tuscaloosa County: Tract 0116; Tract 0117; Tract 0118; Tract 0119; Tract 0120; Tract 0121, Blocks: 109, 122-130, 133, 202, 204-210, and 234; Tract 0124.

HOUSE DISTRICT 47 SHALL CONSIST OF: Tuscaloosa County: Tuscaloosa City part of Windham Springs Division; Tract 0104.02; Tract 0105; Tract 0108, Block Group 1, Blocks 203 and 235, Block Group 3 except Blocks 301-311 and 340, and Block Group 9; Tract 0109; Tract 0110; Tract 0111; Tract 0112; Tract 0113; Tract 0114; Tract 0115; Tract 0121, Blocks 105-108, 110, 112-120, 211-225 and 238; Brookwood Division.

HOUSE DISTRICT 48 SHALL CONSIST OF: All of Bibb County; Tuscaloosa County: Abernant Division; Coaling-Vance Division; Tract 0108, Block Group 2 except Blocks 203 and 235, Block Group 4, Blocks 301-311, and Block 340; Tract 0121, Blocks 101-104, 226-233; Tract 0122; Tract 0123.

HOUSE DISTRICT 49 SHALL CONSIST OF: In Jefferson County: Tract 0129.01; Tract 0129.04; Tract 0129.02; Tract 0129.03; Tract 0128.01.

HOUSE DISTRICT 50 SHALL CONSIST OF: In Jefferson County: Tract 0104.02; Tract 0141.05; Tract 0141.03; Tract 0142.03; Tract 0142.02; Tract 0142.04; Tract 0144.03; Tract 0144.01; Tract 0141.02; Block Group 1; Tract 0144.02 except Block Group 5; Tract 143.02; Block Group 3.

HOUSE DISTRICT 51 SHALL CONSIST OF: In Jefferson County: Tract 0144.02; Block Group 5; In Shelby County: Tract 0303.01 (except Enumeration District 9); Tract 0303.02; Tract 0304.01; Tract 0304.02; Enumeration District 21; Tract 0306.01; Tract 306.02 (except Enumeration District 14).

HOUSE DISTRICT 52 SHALL CONSIST OF: In Jefferson County: Tract 0110; Blocks 104, 105, 106, 108, 109, 114, 115, 116, 117 and 118 of Block Group 1 in Tract 0127.02; Tract 0111.05; Blocks 315, 337, 338, 339, 340, 341 and 342; In Shelby County: Tract 0301; Tract 0302; Tract 0305; Tract 0306.02, Enumeration District 14 only; Tract 0307.01; Tract 0307.02; Tract 0308; In Talladega County: In Sylcauga Division: Enumeration District 699A.

HOUSE DISTRICT 53 SHALL CONSIST OF: All of Chilton County; In Shelby County: Enumeration District 15; Enumeration District 16; Enumeration District 17; Enumeration District 18; Enumeration District 20.

HOUSE DISTRICT 54 SHALL CONSIST OF: Coosa County (all); In Talladega County: All Sylcauga Division except: Enumeration District 699A; Sycamore-Winterboro Division.

HOUSE DISTRICT 55 SHALL CONSIST OF: In Talladega County: Childersburg Division; Renfore-Lanier Division; Talladega Division; In Lincoln-Eastaboga Division: Enumeration District 656A.

HOUSE DISTRICT 56 SHALL CONSIST OF: In St. Clair County: All of St. Clair County except: In the Springville Division, Town of Springville, Enumeration District 859; Enumeration District 860 and in the Remainder of Springville Division, Enumeration District 865.

HOUSE DISTRICT 57 SHALL CONSIST OF: In Calhoun County: All of Census Tract 19, 20, 21, 22, 23, 24, and that part of Census Tract 25 not included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 58 SHALL CONSIST OF: In Calhoun County: Census Place 1325 and 0200 of the Anniston Division; And in the remainder of the Anniston Division (Census Place 9999) Tract 1p, 4p, 5p, 6p, 11p, 12p; and All of Census Tracts 13, 14, 15, 16, 17 and only that part of Census Tract 25 included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 59 SHALL CONSIST OF: In Calhoun County: All of Census Tract 18 and that part of the Anniston Division included in the City of Anniston (Census Place 0060) and that part of the Anniston Division included in the City of Hobson (Census Place 0895) and in the remainder of the Anniston Division (Census Place 9999) all of Census Tract 0010p.

HOUSE DISTRICT 60 SHALL CONSIST OF: Clay County; Cleburne County; Munford Division of Talladega County; All of Lincoln-Eastaboga Division of Talladega County, except Enumeration District 656A; Calhoun County: Ohatchee Division.

HOUSE DISTRICT 61 SHALL CONSIST OF: All of Randolph County; In Chambers County: All of the Five Points Division; All of the Milltown Division; All of the Lanett Division; Only E. D. 108 of the LaFayette Division.

HOUSE DISTRICT 62 SHALL CONSIST OF: All of Tallapoosa County not included in E. D. 185 and E. D. 187 of the Camp Hill Division.

HOUSE DISTRICT 63 SHALL CONSIST OF: In Chambers County: In Remainder of LaFayette Division: Enumeration District 107; The Waverly Division; In Tallapoosa County: In Camp Hill Division: Enumeration District 185; Enumeration District 187; In Lee County: All of the City of Auburn, except Tract 0405p of the Auburn-Opelika Division; In remainder of Auburn-Opelika Division: Tract 0406p; Tract p409p; Tract 0411p; Tract 0412p of Enumeration District 529; All of Loachapoka-Roxana Division except Tract 0410, Block 215.

HOUSE DISTRICT 64 SHALL CONSIST OF: In Chambers County: All LaFayette City in Lafayette Division; Enumeration District 109 of LaFayette Division; All Langdale Division; In Lee County: In Auburn-Opelika Division; Block Groups 1, 2, 3(p) of Tract 0411(p) in City of Opelika; Tract 0412(p) of City of Opelika; All of Tract 0413, except Blocks 406 through 420 of Block Group 4; Blocks 101, 102, 103, 113, 114, 115, 123 and 124 in Block Group 1 of Tract 0414; All of Tract 0415; All of Tract 0416; In Tract 0417(p): Block Group 1p, 2p and Blocks 315, 316, 317, 324 and 325 of Block Group 3; In Remainder of Auburn-Opelika Division in Tract 0412: Blocks 101 through 109 of Block Group 1; In Tract 417; All of Block Group 1; All of Block Group 2; In the Beulah Division; Enumeration District 526; Enumeration District 527; Enumeration District 528.

HOUSE DISTRICT 65 SHALL CONSIST OF: All of Russell County except Phenix City; In Lee County: In Auburn-Opelika Division: Auburn City: Tract 0405(p); Opelika City: Tract 0405(p); Block Group 4 of Tract 0411p; Blocks 406 through 420 of Tract 0413; All of Tract 0414 except Blocks 101, 102, 103, 113, 114, 115, 123 and 124; In Tract 0417(p): Block Group 3, except Blocks 315, 316, 317, 324p and 325p; In Remainder of Auburn-Opelika Division: Tract 0404p; Tract 0405p; Tract 0417p; All of Block Group 3; All of Beauregard-Marvin Division; Enumeration District 525 of the Beulah Division; All of Smiths-Salem Division; In Loachapoka-Roxana Division; Tract 0410; Block 215.

HOUSE DISTRICT 66 SHALL CONSIST OF: In Russell County: All of Phenix City Division.

HOUSE DISTRICT 67 SHALL CONSIST OF: All of Bullock County; All of Macon County.

HOUSE DISTRICT 68 SHALL CONSIST OF: Pike County; In Barbour County: Louisville Division; Clayton Division; Eufaula Division, remainder; Enumeration District 325; Enumeration District 326A; Enumeration District 327A.

HOUSE DISTRICT 69 SHALL CONSIST OF: In Barbour County: Clio Division; In Henry County: Abbeville Division; In Dale County: Ozark Division; Echo Division, Enumeration District 650; Fort Rucker Division, remainder; Enumeration District 669; Enumeration District 668.

HOUSE DISTRICT 70 SHALL CONSIST OF: In Barbour County: All of Eufaula Division, except Enumeration District 325, Enumeration District 326A, Enumeration District 327 in remainder of Eufaula Division; All of Bakerhill Division; In Henry County: All of Shorterville Division; All of Haleburg Division; All of Headland-Newville Division; In Houston County: Tract 0416; Tract 0417; Tract 0419; Enumeration District 764 in remainder of Gordon Division; Tract 0418p in Gordon Division (Town of Gordon).

HOUSE DISTRICT 71 SHALL CONSIST OF: In Houston County: Tract 0402; Tract 0404; Tract 0414p; Block Group 3; Block Group 4; Tract 0405; Tract 0406; Tract 0407; Tract 0408; Tract 0410; Tract 0411; Tract 0412; Tract 0413.

HOUSE DISTRICT 72 SHALL CONSIST OF: In Dale County: Daleville Division; Newton-Midland City Division; Enumeration District 669; Enumeration District 666 of Fort Rucker Division; Enumeration District 651 and Enumeration District 652 of the Echo Division; Enumeration District 664 of remainder of Newton-Midland City Division; In Houston County: Tract 0401; Tract 0403; Tract 0414, all except Block Group 3 and Block Group 4; Tract 0415.

HOUSE DISTRICT 73 SHALL CONSIST OF: In Coffee County: Enumeration District 264; Enumeration District 267; Geneva County; In Houston County: Madrid Division; Cottonwood Division; In Remainder of Gordon Division: Enumeration District 765; Dothan Division; Tract 0409.

HOUSE DISTRICT 74 SHALL CONSIST OF: All of Coffee County except: Enumeration District 264; Enumeration District 267.

HOUSE DISTRICT 75 SHALL CONSIST OF: All of Covington County.

HOUSE DISTRICT 76 SHALL CONSIST OF: In Elmore County: The Tallassee Division; The Eclectic Division; The Wetumpka Division; The

Titus Division; The Elmore Division, except Block Group 1 of Tract 0104p in the Prattville City part and the remainder of Elmore Division Tract 0104p Block Group 1.

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0001; Tract 0002; Tract 0003; Tract 0004, Blocks 114, 201, 202, Block Group 3, 4, 5, 6, 7, 8; Tract 0006; Tract 0007, Block Group 5, 6, 7; Tract 0012; Tract 0015, Blocks 318, 319, 320, 321, 501, 502, 503, 504, 505, 506, 507, 531, 532, 725; Block Group 4; Tract 0051.01, Blocks 913p, 928, 929, 932p, 935, 936, 940, 941, 951, 955, 958, 960, 961p, 963p, 964, 965, 966, 968p, 969p, 971, 973p, 989, 801, 802p, 904, 910, 911, 912, 913p, 927, 932p, 942, 959, 961p, 962p, 963p, 968p, 969p, 973p; Tract 0051.02; Tract 0011, Block Group 1, 5, 7, 8; Blocks 201, 203, 204, 205, 209, 210, 211, 212, 215, 222, 225, 604, 605, 615, 625, 626, 628, 629, 632, 634; Tract 0013, Blocks 401, 408, 409, 410, 411, 407, 406.

HOUSE DISTRICT 78 SHALL CONSIST OF: In Montgomery County: Ramer Division; Pike Road Division; Pine Level Division; Mt. Meigs Division; Montgomery Division; Tract 0029; Tract 0032; Tract 0051.01, Blocks 945, 943, 962p, 949; Tract 0054.01; Tract 0054.02; Tract 0054.03; Tract 0054.04; Tract 0054.05; Tract 0056.03, except Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956; In Remainder of Montgomery Division; Tract 0056.03p.

HOUSE DISTRICT 79 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0004, Blocks 106, 103, 105, 113, 117, 109, 118, 102, 101, 209, 210, 208, 211, 207, 205, 206, 115, 112, 111, 212, 213, 204; Tract 0025; Tract 0051.03; Tract 0016; Tract 0017; Tract 0027; Tract 0026; Tract 0005; Tract 0019; Tract 0018; Tract 0053.01; Tract 0053.02.

HOUSE DISTRICT 80 SHALL CONSIST OF: In Montgomery County: Tract 0011; Blocks 216, 217, 218, 219, 220, 224, 601; Block Group 3, 4; Tract 0010; Tract 0013; Blocks 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315; Tract 0022; Blocks 409, 410, 411, 606, 607, 608, 701, 702, 703, 704, 705, 706, 707, 708; Block Group 5, 8; Tract 0023; Block Group 1, 2, 3, 5; Blocks 401, 402, 403, 404, 405, 406, 407, 409, 410, 411, 412, 415, 416, 418; Tract 0024; Tract 0059.02; Tract 0060.01; Blocks 903, 902, 988, 989; Tract 0060.02; Tract 0030.

HOUSE DISTRICT 81 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0007; Block Group 1, 2, 3, 4; Tract 0013; Block Group 1, 2; Blocks 301, 308, 309, 402, 403, 405, 415; Tract 0015; Blocks 106, 107, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 510, 516, 517, 518, 519, 530; Block Group 2; Tract 0020; Tract 0021; Tract 0022; Block Group 1, 2; Blocks 301, 302, 303, 304, 601, 602, 603, 604, 605, 709, 710; Tract 0028; Tract 0033; Tract 0056.02; Tract 0014; Tract 0056.03, Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956.

HOUSE DISTRICT 82 SHALL CONSIST OF: In Autauga County: Autaugaville Division; Prattville Division; Marbury Division, Enumeration District 775; In Lowndes County: Lowndesboro Division; Benton Collerine Division; In Elmore County: Deatsville Division; Elmore Division; Block Group 1 of Tract 0104p in the Prattville City part; The Remainder of Elmore Division; Tract 0104p Block Group 1.

HOUSE DISTRICT 83 SHALL CONSIST OF: Wilcon County: Pineapple Division; Camden Division; Alberta Division; Lowndes County: Braggs Division; Ft. Deposit Division; Hayneville Division; Montgomery County:

Montgomery Division; Tract 0009; Tract 0060.01; Less Blocks 903, 902, 988, 989; Hope Hull Division; Tract 0059.01; Montgomery Division Tract 0023; Blocks 414, 413; Tract 0022; Blocks 407, 406, 405, 310, 309, 308, 307, 306, 311, 403, 404, 401, 422, 903, 408, 305; Tract 0031.

HOUSE DISTRICT 84 SHALL CONSIST OF: Butler County; Crenshaw County.

HOUSE DISTRICT 85 SHALL CONSIST OF: In Dallas County: City of Selma minus BNA-9901, Block G-1; Enumeration District 55; Enumeration District 56-B; Enumeration District 56-V; Enumeration District 51; Enumeration District 50; In Autauga County: Enumeration District 775; Enumeration District 776; Enumeration District 777; Enumeration District 778; Enumeration District 779.

HOUSE DISTRICT 86 SHALL CONSIST OF: All of Perry County; In Dallas County: Enumeration District 52-U; Enumeration District 69; Enumeration District 59; Enumeration District 53; Enumeration District M-62; Enumeration District 61; Enumeration District 67; Enumeration District 66; Enumeration District 68; Enumeration District 52-T; Enumeration District 54; Enumeration District 58; Enumeration District 57; Enumeration District 65; Enumeration District 63; Enumeration District 56-A; Town of Orrville; In City of Selma, BNA-9901, Block G-1.

HOUSE DISTRICT 87 SHALL CONSIST OF: All of Marengo County; In Hale County: River Bend Division; Prairie Eden-Newbern Division; Greensboro Division; Mt. Herman Valley Division; Moundville Division.

HOUSE DISTRICT 88 SHALL CONSIST OF: All of Greene County; Pickens County: Aliceville Division; Carrollton Division; Ethelsville Division; Raleigh Division; Hale County: Sawyerville Division; Stewart-Akron Division.

Tuscaloosa County: Fosters Division; Big Sandy-Duncanville Division; Tract 0125 (all).

HOUSE DISTRICT 89 SHALL CONSIST OF: Tuscaloosa County: Coker Division; Elrod-Moore's Bridge Division; Samantha Division; Windham Springs Division; less Tuscaloosa City part; Tract 0104.01; Tuscaloosa Division part of Tract 0102; Pickens County: Gordo Division; Reform Division.

HOUSE DISTRICT 90 SHALL CONSIST OF: All of Sumter County; All of Choctaw County; Washington County: Millry Division; In Remainder of Chatom Division, Enumeration District 129.

HOUSE DISTRICT 91 SHALL CONSIST OF: Escambia County.

HOUSE DISTRICT 92 SHALL CONSIST OF: Clarke County; In Monroe County: Vredenburgh Division; Monroeville Division, Enumeration District 109T; Monroeville Division, Enumeration District 110; Uriah Division; In Baldwin County: Stockton Division.

HOUSE DISTRICT 93 SHALL CONSIST OF: Conecuh County; In Monroe County: Beatrice Division; Frisco City Division; Peterman Division; Monroeville Division, Enumeration District 109U; Enumeration District 106, Enumeration District 107, Enumeration District 108U, Enumeration District 108T; In Wilcox County: Coy-Fatama Division; Pinehill Division.

HOUSE DISTRICT 94 SHALL CONSIST OF: In Baldwin County: Foley Division; Fairhope Division; Elberta Division; Summerdale Division;

Robertsdale Division, Enumeration District 406, Enumeration District 407T, Enumeration District 407U; In Daphne Division: Block 254; Block 248; Block 238.

HOUSE DISTRICT 95 SHALL CONSIST OF: In Baldwin County: Bay Minette Division; Daphne Division, except Blocks 254, 248 and 238; Loxley Division; Silverhill Division; Robertsdale Division, Enumeration District 404T; Enumeration District 404U, Enumeration District 408, Enumeration District 439; Enumeration District 410.

HOUSE DISTRICT 96 SHALL CONSIST OF: In Washington County: Enumeration District 127; Enumeration District 128; Enumeration District 130; Enumeration District 131; Enumeration District 132; Enumeration District 133; Enumeration District 134; Enumeration District 135; Enumeration District 136; In Mobile County: Remainder Mobile Division of Tract 0034.03; In Citronelle Division: In Tract 0059: Enumeration District 532; Enumeration District 533A; Enumeration District 533B; Tract 0060; Remainder Mobile Division, In Tract 0061p: Blocks 801; 803; 804; 805; 807; 809; 810; 811; 812; 813; 814; 815; 816; 817; 818; 819; 820; 823; 808; Enumeration District 571; Remainder Mobile Division of Tract 0034.03: (Partial); Block Group 4; Block 510p; In Semmes Division: In Tract 0062: Enumeration District 535; Enumeration District 536; Enumeration District 534; Tract 0063; In Tanner-Williams Division of Tract 0064: Block Group 1; Block Group 2; Blocks 301-307; Block 319; 320; 322; 323; Block Group 4; Block 901; 906; Blocks 801-819; Block 821; 822; 823; 843, 846; 849.

HOUSE DISTRICT 97 SHALL CONSIST OF: In Mobile County: Mobile Division: Tract 0038.02p; Tract 0038.99; Tract 0054p; Tract 0056p; Tract 0057p, except Blocks 936-946, and 988p and Enumeration District 540; Creola Town: Tract 0038.02p; Tract 0057p; Chickasaw City: Tract 0038.02p; Tract 0050p; Tract 0051; Tract 0052; Tract 0053p; Tract 0054p; Prichard City: Tract 0050p; Saraland City: Tract 0054p; Tract 0055; Tract 0056p; Tract 0057p, (Block 924p, 923p, 988p, 922); Satsuma City: Tract 0056p; Tract 0057p; Mt. Vernon Division: Tract 0058: Enumeration Districts 525-529; Saraland City: Tract 0061p; Prichard City: Tract 0061p; Blocks 203, 204, 225, 226, 227p; 901p and 902; Remainder of Mobile Division: Tract 0061p: Blocks 227p, 802, 806, 821, 824, 825, 826, 827, 829, 901p, 905, 906, 912, 913p, 918, 919p, 924, 972, 970, 964p, 833, 979, 980, 834, 832, 830, 831, 981, 982, 976 and 958.

HOUSE DISTRICT 98 SHALL CONSIST OF: In Mobile County: Tract 0026 (Partial); (Blocks 101, 102, 115, 604 and 605); Mobile Division: Tract 0034.02p (Block 127p only); Prichard City: Tract 0034.02p; Mobile City: Tract 0039.01p; Prichard City: Tract 0039.01p; Mobile City: Tract 0039.02p; Prichard City: Tract 0039.02p; Prichard City: Tract 0040; Tract 0041; Tract 0042 (Partial); Block Group 1; Blocks 201-203; Blocks 210-219; Block Group 3; Mobile City: Tract 0045p; Prichard City: Tract 0045p; Tract 0046 (Partial); Block Group 1; Block Group 2; Tract 0047; Tract 0048; In Mobile City: Tract 0049p; In Prichard City: Tract 0049p; Tract 0061p (Partial): Blocks 205-224; Block Group 3; Block Group 4; Blocks 944p-975; Remainder of Mobile Division: Tract 0061p: Block 944p.

HOUSE DISTRICT 99 SHALL CONSIST OF: In Mobile County: Tract 0005 (Partial) (All except Block Group 3); Tract 0006; Tract 0007.01; Tract 0007.02; Tract 0008; In Mobile Division: Mobile City: Tract 0012.01p; Prichard City: Tract 0012.01p; Mobile City: Tract 0026 (All except Blocks 101, 102, 115, 604 and 605); Tract 0038.01; Prichard City: Tract 0042 (Partial); Blocks 204-209; Mobile City: Tract 0043p; Tract 0044p; Tract 0045p

(Blocks 113p, 128p, 129p); Prichard City: Tract 0043p; Tract 0044p; Tract 0046 (Partial) (Block Group 3 only).

HOUSE DISTRICT 100 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0034.03; Tract 0034.04; Tract 0034.05 (Partial) (All except Block 133); Tract 0036.01; Tract 0036.02; Tract 0036.03; Tract 0037.01; In Tanner-Williams Division (Partial): Tract 0064; Blocks 308-318; Blocks 831-842, 844, 845; Block Group 9; Enumeration District 543; Enumeration District 542T; Enumeration District 542U; Blocks 847, 848, 850-856; In Remainder of Mobile Division: Tract 0057p; Blocks 936-946; Block 988p; Enumeration District 540; In Remainder Mobile Division: Tract 0034.03; Block Group 9; Blocks 501-504.

HOUSE DISTRICT 101 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0031 (Partial); Block Group 1; Block Group 3; Tract 0032.01; Tract 0032.02; Tract 0032.03 (Partial); Tract 0033.01; Tract 0033.02; Tract 0034.01; Tract 0034.02 (Mobile City only); Tract 0034.05 (Block 133 only); Tract 0034.06; Tract 0035.01; Tract 0035.02; Tract 0061p; Block 212p; Block 977p; Block 978p; In Remainder of Mobile Division: Tract 0061p; Block 212p; Block 977p; Block 978p.

HOUSE DISTRICT 102 SHALL CONSIST OF: In Mobile County: Tract 0009.01; Tract 0009.02; Tract 0009.03; Tract 0014 (Blocks 502-505); Tract 0021 (Partial) (Blocks 102-109); Tract 0022 (Partial); Block Group 1; Block Group 2; Block Group 3; Block Group 4; Tract 0023.01; Tract 0023.02; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0027; Tract 0028; Tract 0029; Tract 0031 (Partial) (Block 101 only).

HOUSE DISTRICT 103 SHALL CONSIST OF: In Mobile County: Tract 0001; Tract 0002; Tract 0003; Tract 0004.01; Tract 0004.02; Tract 0005 (Block Group 3 only); Tract 0010.01; Tract 0010.02; Tract 0011; Tract 0012.02; Tract 0012.99; Tract 0013.01; Tract 0013.02; Tract 0014 (Minus Blocks 502-505); Tract 0015.01; Tract 0015.02; Tract 0016; Tract 0017; Tract 0018 (Partial); Blocks 101, 102, 104, 112, 113, 122, 123; Tract 0019.01 (Block 101 only); Tract 0019.02 (Partial); Blocks 101-115; Block 120; Block 121; Blocks 302-313; In Mobile Division: In Mobile City: Tract 0038.02p (Block 925p only); Tract 0038.99; Tract 0045p (Partial); Blocks 101p, 124p, 125p; Tract 0053p; Tract 0054p; Tract 0056p.

HOUSE DISTRICT 104 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0018 (Partial); Blocks 105-111, 114-121 and 124; Block Group 2; Tract 0019.01 (Partial) (All except Block 101); Tract 0019.02 (Partial); Blocks 116, 117; Block Group 2; Blocks 314 and 315; Tract 0020; Tract 0021 (Partial); Blocks 112-118; Block Group 2; Block Group 3; Block Group 4; Tract 0030; Tract 0031 (Partial); Block Group 2; Tract 0037.02; Tract 0068p (Partial); Block Group 230p; In Mobile Division (Partial): Tract 0068; Block Group 1; Block Group 2; Block Group 3; In Mobile County: In Theodore Division: Tract 0069 (Partial); Blocks 125, 126, 151, 152; Tract 0070 (Partial); Block Group 1, except Blocks 137-140; Block Group 9; Tract 0071 (Partial); Enumeration District 557; Enumeration District 558; Enumeration District 559.

HOUSE DISTRICT 105 SHALL CONSIST OF: In Mobile County: In Grand Bay Division: Tract 0065; Tract 0066; Tract 0067; In Theodore Division (Partial): Tract 0069 (Partial); Block Group 1, Minus Blocks 125, 126, 151, 152; Block Group 3; Block Group 2; Tract 0070 (Partial); Blocks 137-140; Tract 0071 (Partial); Block Group 1; In Bayou la Batre Division: Tract 0072.01; Tract 0072.02; Tract 0072.99; Tract 0073.

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each Senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the purpose of electing members of the House of representatives of the Alabama Legislature as follows:

- District 1 House District Nos. 1, 2 and 3;
- District 2 House District Nos. 4, 5 and 6;
- District 3 House District Nos. 7, 8 and 9;
- District 4 House District Nos. 10, 11 and 12;
- District 5 House District Nos. 13, 14 and 15;
- District 6 House District Nos. 16, 17 and 18;
- District 7 House District Nos. 19, 20 and 21;
- District 8 House District Nos. 22, 23 and 24;
- District 9 House District Nos. 25, 26 and 27;
- District 10 House District Nos. 28, 29 and 30;
- District 11 House District Nos. 31, 32 and 33;
- District 12 House District Nos. 34, 35 and 36;
- District 13 House District Nos. 37, 38 and 39;
- District 14 House District Nos. 40, 41 and 42;
- District 15 House District Nos. 43, 44 and 45;
- District 16 House District Nos. 46, 47 and 48;
- District 17 House District Nos. 49, 50 and 51;
- District 18 House District Nos. 52, 53 and 54;
- District 19 House District Nos. 55, 56 and 57;
- District 20 House District Nos. 58, 59 and 60;
- District 21 House District Nos. 61, 62 and 63;
- District 22 House District Nos. 64, 65 and 66;
- District 23 House District Nos. 67, 68 and 69;
- District 24 House District Nos. 70, 71 and 72;
- District 25 House District Nos. 73, 74 and 75;
- District 26 House District Nos. 76, 77 and 78;
- District 27 House District Nos. 79, 80 and 81;
- District 28 House District Nos. 82, 83 and 84;
- District 29 House District Nos. 85, 86 and 87;
- District 30 House District Nos. 88, 89 and 90;

- District 31 House District Nos. 91, 92 and 93;
District 32 House District Nos. 94, 95 and 96;
District 33 House District Nos. 97, 98 and 99;
District 34 House District Nos. 100, 101 and 102;
District 35 House District Nos. 103, 104 and 105.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE TABLED

On motion of Rep. Manley, the substitute offered by Rep. Tucker to the bill, H. 1 as amended, was tabled.

Yeas 71; Nays 5.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bennett, Biddle, Blake, Boles, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

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Nays: Reps. Clark (W), Escott, Jackson, Nevett and Shavers.

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AMENDMENT OFFERED

Rep. Jackson offered the following amendment to the bill, H. 1 as amended:

Amend Bill 1 by deleting districts 14, 15, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 50, 51 and 52 and the areas which comprise these districts.

Further amend H. Bill 1 by inserting in lieu of the abovementioned, deleted districts the following districts:

District 14: Jefferson County; Tract 112.06; Tract 112.05; Tract 117.06; Tract 113; Tract 117.04; Tract 114; Blount County: Tract 506; Tract 505;; Enumeration District 784; Enumeration District 781; Enumeration District 783; Tract 507—Locust Fork Div.; In Jefferson County: Tract 111.03; Tract 112.03; Tract 118.02; Tract 118.01; Tract 112.04; Tract 111.04; Tract 111.05; Block Group 1; Block Group 2.

DISTRICT 31

Jefferson County: Tract 108.04 All except Block Group 7, Blocks 660, 702; Tract 108.03 All except Block Group 1, Irondale portion; Block Group 5, Irondale portion; Tract 108.05; Tract 129.03, Block Group 5, Blocks 529, 513; Block Group 6, Blocks 612, 613, 614, 615, 616; Block Group 8, Blocks 807, 836, 837, 831, 841, 830; Shelby County: Tract 303.01 All except Block Group 2, Blocks 243, 244; Tract 303.02, Blocks 230, 231, 232, 226, 303, 302, 301, 315, 316, 314, 313, 318, 317, 323, 324, 237, 304, 310, 311, 321, 320, 312, 319, 322, 309, 249, 250, 246, 245, 247, 305, 306, 307, 308, 238, 224, 225, 261, 227, 228, 229, 220, 221, 227, 223, 222, 149, 150.

DISTRICT 32

In Jefferson County: Tract 50; Block Group 2; Tract 49; Tract 48; Tract 47.02; Tract 2306; Tract 56; Tract 2305; Block Group 2; Block Group 5; Block Group 6; Block Group 7; Block Group 1; Tract 108.03; Block Group 1, Irondale portion; Block Group 5, Irondale portion; Tract 108.01; Tract 108.02; Tract 108.04; Block Group 7; Block 760; Block 702.

DISTRICT 33

In Jefferson County: Tract 2; Tract 3; Block Group 2; Block Group 3; Block Group 4; Tract 1801, 1082, 1901, 1902, 20, 21, 22, 2303, 126.02, 126.01, 111.05; Tract 127.01; 23.04; Tract 2304; Block Group 1.

DISTRICT 34

In Jefferson County: Tract 111.04; Block Group 1; Blocks 103, 104, 105, 150 (Birmingham Division); Block Group 4; Blocks 403, 412; Block Group 9; Block 987; Tract 118.01; Block Group 5; Tract 59.06; Block Group 2; Tract 119.02; Block Group 5; Blocks 505; Block 506; Block 508; Block 510; Tract 1; Tract 53.01; Tract 53.02; Tract 59.03; Tract 59.05; Tract 59.04; Tract 119.03; Block Group 2; Block Group 3; Block Group 4; Block Group 5.

DISTRICT 35

In Jefferson County: Tract 1705; Tract 190.01; Tract 119.02; Tract 117.03; Tract 120.02; Tract 59.06; Tract 118.01; Block Group 1; Blocks 141, 142, 143, 163, 164, 165, 166, 168, 169; Tract 117.04; Block Group 1; Blocks 102, 105, 106, 108, 109, 112; Tract 112.04; Block Group 1; Block Group 9; Blocks 917 (a), 917 (b), 923, 925, 934, 936, 950, 951, 952, 954, 955, 957, 958, 959, 968.

DISTRICT 36

Jefferson County: Tract 124.02; Tract 117.03; Block Group 1, Blocks 101, 102, 103, 104, 105, 106, 107; Tract 125; Block Group 1; Block Group 7; Block Group 8, Block 837; Block Group 9, Block 920; Tract 121.03; Tract 115; Tract 121.04; Tract 124.03 All except Block Group 7, Block 710; Tract 116; Walker County: Tract 218; Tract 219.

DISTRICT 37

In Jefferson County: Tract 143.02; Tract 130.01; Tract 130.02; Tract 58, Block Group 9, Blocks 905, 909, 912, 913; Tract 107.01; Tract 107.02; Tract 107.04; Tract 107.05; Tract 107.06; Tract 144.01, Block Group 1; Block Group 2; Block Group 3; Blocks 301, 345, 341, 342, 316, 344, 303.

DISTRICT 38

In Jefferson County: Tract 40; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Block Group 6; Block Group 7; Block Group 8; Block Group 1; Tract 38.03; Tract 52; Tract 57.02; Tract 57.01; Tract 131; Block

Group 1; Tract 51.02; Block Group 9; Tract 130.02; Block Group 1; Blocks: 105, 109, 110, 111, 123, 151; Tract 58; Block Group 9; Blocks: 907, 908, 910, 911, 916; Tract 50; Block Group 5; Block Group 4; Block Group 3; Block Group 2; Blocks 209, 211.

DISTRICT 39

In Jefferson County: Tract 31; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Tract 30.01; Tract 30.02; Tract 29; Tract 28.02; Tract 39; Tract 41; Tract 51.01; Tract 51.02; Tract 42; Tract 40; Block Group 1; Blocks: 110, 111, 118, 120, 121, 104.

DISTRICT 40

In Jefferson County: Tract 38.01; Tract 36; Tract 38.02; Tract 37; Tract 34; Tract 125; Block Group 2; Block Group 4; Block Group 8; Block Group 9; Tract 123.01; Tract 132.

DISTRICT 41

In Jefferson County: Tract 106.01; Tract 106.02; Tract 136.01; Tract 136.02; Tract 133; Tract 134; Tract 105; Tract 138.02; Tract 106.03; Block Group 2; Block Group 3; Block Group 4; Block Group 8; Tract 135; Block Group 4; Block 405; Block 406; Tract 139.01; Tract 135.

DISTRICT 42

Jefferson County: Tract 122; Tract 141.02; Tract 140; Tract 100.01; Tract 100.02; Tract 139.02; Tract 123.02; Tract 124.03, Block Group 7; Block 710; Walker County: Tract 216; Tract 217, Enumeration District 900; Enumeration District 894; Enumeration District 899.

DISTRICT 43

In Jefferson County: Tract 8; Tract 55; Tract 7; Tract 4; Tract 54; Tract 6; Tract 5; Tract 24; Tract 119.03; Block Group 1; Tract 3; Block Group 1.

DISTRICT 44

In Jefferson County: Tract 14; Tract 15; Tract 16; Tract 17; Tract 26.02; Tract 28.01; Tract 26.01; Tract 27; Tract 25; Tract 47.03; Tract 46; Tract 45; Tract 44; Tract 47.01.

DISTRICT 45

In Jefferson County: Tract 120.01; Tract 124.01; Tract 11; Tract 12; Tract 33; Tract 32; Tract 10; Tract 9; Tract 31; Block Group 7; Block Group 1; Block Group 6; Tract 120.02; Block Group 5.

DISTRICT 49

In Jefferson County: Tract 103.01; Tract 101; Tract 102; Tract 103.02; Tract 104.01; Tract 137; Tract 138.01; Tract 141.04; Tract 143.01, Block Group 3; Block Group 6; Tract 141.03, Block Group 1; Block 101, 102.

DISTRICT 50

Jefferson County: Tract 104.02; Tract 141.03; Tract 141.05; Tract 143.01; Block Group 4; Tract 142.03; Tract 142.02; Tract 142.04; Tract 144.03;

Tract 144.02; Block Group 5; Tract 144.01 All except Block Group 1, Block Group 2, Block Group 3, Blocks 301, 345, 341, 342, 316, 344, 303; Shelby County: Tract 303.02; Tract 303.01; Block Group 2, Blocks 243, 244; Tract 304.01; Block Group 1, Blocks 101, 103, 106, 102, 105, 104; Tract 306.01; Blocks 214, 216, 217, 218, 213, 138, 108, 205, 202, 203, 204, 206, 207, 201, 139, 137, 107, 140, 141, 134, 135, 136.

DISTRICT 51

In Jefferson County: Tract 120.01; Tract 129.02; Tract 144.02; Tract 129.04; Tract 129.03 All except Block Group 5, Block 529; Block Group 6, Blocks 612, 613, 614, 615, 616; Block Group 8, Blocks 807, 836, 837, 831, 841, 830.

DISTRICT 52

In Jefferson County: Tract 127.02; Tract 110 Jefferson County; In Shelby County: Tract 301; Tract 302; Tract 307.02 Shelby County; Tract 307.01; Tract 306.02; Tract 305; Tract 306.01 Shelby County, Blocks 104, 105, 106, 110-112, 109, 103, 114-133, 142, 143, 145-150, 208-212, 219-222.

AMENDMENT TABLED

On motion of Rep. Manley, the amendment offered by Rep. Jackson to the bill, H. 1 as amended, was tabled.

Yeas 69; Nays 11.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Crow, Dial, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—69

Nays:

Reps. Buskey, Clark (W), Escott, Hall, Harrison, Howard, Jackson, Kennedy, Nevett, Riddick and Tucker.

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AMENDMENT OFFERED

Rep. Gilmer offered the following amendment No. 2 to the bill, H. 1 as amended:

Amend H. B. 1, page 5 by deleting line 27 in its entirety; Further amend H. B. 1, page 5 by deleting line 28 in its entirety; Further amend H. B. 1, page 5, relating to House District 6, on line 33 by deleting "except Enumeration" and inserting in lieu thereof:

(All)

AMENDMENT TABLED

On motion of Rep. Manley, the amendment No. 2 offered by Rep. Gilmer to the bill, H. 1 as amended, was tabled.

Yeas 35; Nays 23.

Yeas:

Reps. Albright, Barton, Boles, Bowling, Campbell, Cates, Clark (G), Cobb, Cooley, Crow, Goodwin, Hammett, Harvey, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, McKee, Manley, Minus, Mitchell, Moore, Olive, Owens, Penry, Ray, Sasser, Smith (C), Trammell, Turnham, Venable, Ward, Willis and Zoghby.

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Nays:

Reps. Blake, Buskey, Carothers, Clark (W), Escott, Gafford, Gilmer, Gregg, Hall, Horn, Kennedy, Lewis, McMillan, Payne, Rains, Riddick, Seibels, Smith (M), Starkey, Tucker, Turner, Warren and Whatley.

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And the bill, H. 1, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 21.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Crow, Dial, Drinkard, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

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Nays:

Reps. Brakefield, Buskey, Clark (W), Daniels, Escott, Gilmer, Hall, Harrison, Horn, Howard, Jackson, Kennedy, Langford, Naramore, Nevett, Rains, Reed, Tucker, Turner, Warren and Wyatt.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Mitchem (With Notice and Proof):

S. 65. Relating to Marshall County; to provide for an additional expense allowance for the members of the board of equalization of said county and to repeal Act No. 81-511, S. 589, 1981 Regular Session (Acts 1981, p. 874).

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 65, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Mitchem (With Notice and Proof):

S. 71. Relating to Marshall County; to provide for an additional expense allowance for the members of the jury commission of said county and to repeal Act No. 81-512, S. 590, 1981 Regular Session (Acts 1981, p. 874).

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 71, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Hilliard (With Notice and Proof):

S. 7. To provide funds to the Birmingham-Jefferson Transit Authority, or such other public transit authority as may be organized under the provisions of Act 993 of the 1971 Regular Session of the Legislature of Alabama, by requiring Jefferson County and certain municipalities situated therein to pay to the said Transit Authority certain percentages of the first one cent per dollar of sales tax and use tax collected by said county and municipalities in which public transit service shall be provided by such Authority, to be used by said Authority for the providing of facilities and equipment, for the paying of debts and expenses incurred in connection with or related to its providing of such public transit services, to provide for payments by municipalities having no sales or use tax, to authorize and provide for public transit service in municipalities affected by the Act, to make this Act cumulative to other provisions for funding public transit services, and to provide for the severability of invalid or unenforceable provisions of the Act.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 7, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 65. Local Legislation No. 1.

S. 71. Local Legislation No. 1.

S. 7. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. White and Martin:

S. 10. To amend section 22-6-7, Code of Alabama 1975, so as to provide further for the letting of certain contracts by the Medicaid Agency of the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 10. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Martin, Smith, Lemaster, Denton, Mitchem, Keener, Vacca, McDonald and Cook:

S. 37. To amend section 16-13-145 of the Code of Alabama 1975, relating to the funding of county and city boards of education, so as to authorize said boards to participate in the energy conservation financing programs of the Tennessee Valley Authority.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 37. State Administration.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Manley, the rules were suspended in order to take up out of order the bill, H. 3.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Cooley, Crow, Dial, Drinkard, Edwards, Gafford, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Langford, Letson, McKee, McMillan, Manley, Moore, Naramore, Nevett, Olive, Owens, Patton, Pegues, Rains, Ray, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—68

And the bill:

H. 3. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury law of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Daniels, Dial, Drinkard, Edwards, Gafford, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harrison, Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Patton, Pegues, Penry, Rains, Ray, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—76

RESOLUTION

The following resolution was introduced:

By Reps. Howard and Lewis:

H. J. R. 40. MOURNING THE DEATH OF OFFICER TOMMY LEE THEDFORD.

WHEREAS, the Legislature of Alabama has been deeply saddened by the death of Officer Tommy Lee Thedford of the Bessemer Police Department; and

WHEREAS, Officer Thedford was killed in the line of duty on October 1, 1981; and

WHEREAS, Officer Thedford having worked on the Bessemer Police Force since December 1, 1969 was respected and thought well of by the Department; having received the award for "Bessemer's Outstanding Law Enforcement Officer" for 1976; and

WHEREAS, though profoundly devoted to his wife Shirley and his daughter Tomichael, Officer Thedford's kindness and warmth extended to include those with whom he worked and to all the community which he served; and

WHEREAS, Officer Thedford will long be remembered by his fellow law enforcement officers and by all those whose lives he touched; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Officer Tommy Lee Thedford and extend our heartfelt sympathy to his wife and daughter; his parents, Junior and Bessie Thedford; his other relatives and many many friends.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his widow, to his parents and to the Bessemer Police Department, that they may know we truly share the sorrow of their great loss.

On motion of Rep. Howard, the rules were suspended and the resolution, H. J. R. 40, was adopted.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Dial to suspend the rules in order to take up out of order the bill, H. 95, was lost, lacking a four-fifths vote.

Yeas 41; Nays 23.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Biddle, Blake, Carothers, Carter, Cates, Clark (G), Crow, Dial, Gafford, Gilmer, Grimsley, Grouby, Harper (O), Hines, Johnson (R. G.), McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Pegues, Reed, Roberts, Sasser, Seibels, Shoemaker, Smith (J), Smtih (M), Stewart, Venable, Waggoner, Ward, Williams and Willis.

—41

Nays:

Reps. Bennett, Boles, Brakefield, Buskey, Cheatwood, Clark (W), Cobb, Cooley, Higginbotham, Holley, Howard, Johnson (Roy), Kennedy, Langford, Nevett, Parker, Payne, Penry, Rains, Riddick, Trammell, Warren and Wyatt.

—23

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. McKee, the rules were suspended in order to take up out of order the bill, H. 46.

Yeas 42; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Carothers, Carter, Cheatwood, Clark (G), Crow, Drinkard, Edwards,

Gafford, Gilmer, Grimsley, Grouby, Harper (O), Hines, Holley, Johnson (R. G.), McKee, McMillan, Minus, Moore, Nevett, Olive, Owens, Pegues, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Ward, Warren, Williams, Willis and Wyatt.

—42

Nay: Rep. Penry.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 46. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Buskey, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Dial, Drinkard, Edwards, Gafford, Gilmer, Harper (O), Higginbotham, Hines, Holley, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Pegues, Rains, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Venable, Ward, Warren, Williams, Willis and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Bowling, the rules were suspended in order to take up out of order the bill, H. 37.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Daniels, Edwards, Gafford, Grouby, Harper (O), Harvey, Hines, Holley, Johnson (R. G.), McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Payne, Pegues, Penry, Reed, Roberts, Sasser, Seibels, Shoemaker, Smith (J), Smith (M), Starkey, Stewart, Venable, Ward, Warren, Williams and Willis.

—53

And the bill:

H. 37. (With Substitute): To define the criminal offense of illegal possession of food stamps; to classify the degrees of such offense; and to prescribe punishment for the commission of such offense.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on State Administration, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To define the criminal offense of illegal possession of food stamps; to classify the degrees of such offense; and to prescribe punishment for the commission of such offense.

Be It Enacted by the Legislature of Alabama:

Section 1. The following definitions are applicable to this act:

(1) **FOOD STAMP AUTHORIZATION CARD.** A document issued by the state agency to an eligible household which shows the total value of coupons the household is authorized to receive during each month pursuant to the provisions of the Food Stamp Act of 1977.

(2) **FOOD STAMP COUPON.** Any coupon, stamp, or type of certificate issued pursuant to the provisions of the Food Stamp Act of 1977.

Section 2. A person commits the crime of illegal possession of food stamps if:

(1) He knowingly uses, transfers, acquires, alters, or possesses food stamp coupons or food stamp authorization cards in any manner not authorized by the Food Stamp Act of 1977 or the regulations issued pursuant to such act; or

(2) He presents or causes to be presented food stamp coupons for payment of redemption knowing the same to have been received, transferred, or used in any manner not authorized by the Food Stamp Act of 1977 or the regulations pursuant to such act.

Section 3. (a) Illegal possession of food stamps which exceed \$1,000.00 in value constitutes illegal possession of food stamps in the first degree.

(b) Illegal possession of food stamps in the first degree is a Class B felony.

Section 4. (a) Illegal possession of food stamps which exceed \$100.00 in value but do not exceed \$1,000.00 in value constitutes the illegal possession of food stamps in the second degree.

(b) Illegal possession of food stamps in the second degree is a Class C felony.

Section 5. (a) Illegal possession of food stamps which do not exceed \$100.00 in value constitutes illegal possession of food stamps in the third degree.

(b) Illegal possession of food stamps in the third degree is a Class A misdemeanor.

Section 6. Any retailer of alcoholic beverages licensed to do business in this state pursuant to Chapter 3A of Title 28, Code of Alabama 1975, who commits the crime of illegal possession of food stamp coupons, or whose agent or employee commits the crime of illegal possession of food stamp coupons, involving the transfer of alcoholic beverages for food stamp coupons shall, upon conviction of such retailer, agent or employee, have his license revoked by the Alcoholic Beverage Control Board. Provided, however, that no retailer shall be subject to such sanction because of the action of an agent or employee of such retailer unless the preponderance of the evidence shows that the retailer conspired with or knowingly permitted the commission of such crime of illegal possession of food stamp coupons by such agent or employee. Upon revocation of a retailer's license pursuant to this Section 6, no license or permit shall be issued or granted to any such retailer for a period of one year from the date of the revocation of the license. For purposes of this Section, a "retailer" shall mean any natural person, association or corporation licensed pursuant to Chapter 3A of Title 28, Code of Alabama 1975, to engage in the retail sale of any alcoholic beverages to the consumer.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Pegues, Penry, Rains, Reed, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Venable, Ward, Warren, Williams and Willis.

—55

And the bill, H. 37, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Crow, Dial, Drinkard, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Hines, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Roberts,

Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Trammell, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—70

Nay: Rep. Stewart.

—1

CO-SPONSOR ADDED

Rep. Smith (J) was added as co-sponsor to the bill, H. 37.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Holmes, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 41. MOURNING THE DEATH OF PRESIDENT ANWAR AL-SADAT OF EGYPT.

WHEREAS, it is with a sense of shock and in deep sadness that the Legislature of Alabama notes the death of President Anwar al-Sadat of the Arab Republic of Egypt on October 6, 1981; and

WHEREAS, President Sadat died as the result of multiple wounds received when Egyptian soldiers fired into the reviewing stand during a military parade; and

WHEREAS, President Sadat assumed office in 1970, following the death of Gamal Abdal Nassar, and it has been during his tenure that his nation has moved away from dependence on the USSR toward closer relations with the West; and

WHEREAS, it is on behalf of the entire State of Alabama, our nation and the free world that we express great dismay and regret over the senseless slaying of a chief of state whose love of peace and concern for his countrymen led him to seek and strive for peace and stability in the war-torn and strife-ridden Middle East; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of President Anwar al-Sadat of Egypt and extend our most heartfelt sympathy to all his family, and to his countrymen whose illustrious and brilliant leader has been slain.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the United States Embassy in Cairo for delivery to the government of the Arab Republic of Egypt.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. J. R. 41, was adopted.

Also:

By Rep. Wyatt:

H. J. R. 42. COMMENDING RADIO STATION WLWI IN MONTGOMERY, ALABAMA, ON ITS PROMOTION OF OCTOBER AS "COUNTRY MUSIC MONTH."

WHEREAS, the month of October is annually set aside as "Country Music Month" by the Country Music Association; and

WHEREAS, in Montgomery, Alabama, Radio Station WLWI, FM 92, is participating in the association's annual promotion, featuring country music at its best including current top-of-the-chart hits as well as old favorites from yesteryear; and

WHEREAS, FM 92 is indeed to be commended for its continuing support and promotion of the music and songs which speak the language of our own State and Southland; and

WHEREAS, the State of Alabama is proud of its many sons and daughters who have brought fame and honor to their home state, including such notables as Alabama natives Jim Nabors, Hank Williams, Hank Williams, Jr., Bobby Goldsboro, Vern Gosdin and Tammy Wynette as well as George Jones, who now makes his home in Alabama, the group "Alabama" and many more; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and express appreciation to WLWI, FM 92, in Montgomery, Alabama, on their support and promotion of "Country Music Month."

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to the management and staff of WLWI, in token of our high praise and regard.

On motion of Rep. Wyatt, the rules were suspended and the resolution, H. J. R. 42, was adopted.

MOTION TO ADJOURN LOST

The motion offered by Rep. Patton that the House adjourn until 12:00 o'clock noon, Wednesday, October 7, 1981, was lost.

Yeas 20; Nays 32.

Yeas:

Reps. Adams (C), Albright, Carter, Cates, Clark (G), Cobb, Cooley, Hall, Kennedy, Langford, Minus, Nevett, Parker, Riddick, Shoemaker, Starkey, Turner, Venable, Whatley and Willis.

—20

Nays:

Mr. Speaker, Adams (H), Amari, Barton, Bedsole, Biddle, Brakefield, Cabaniss, Cheatwood, Gafford, Grimsley, Grouby, Hammett, Higginbotham,

Hines, Holley, Howard, Johnson (R. G.), Lewis, McKee, McMillan, Manley, Moore, Naramore, Olive, Owens, Pegues, Ray, Smith (C), Stewart, Trammell and Warren.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Owens, the rules were suspended in order to take up out of order the bill, H. 49.

Yeas 65; Nays 3.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cooley, Crow, Daniels, Dial, Drinkard, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hammett, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Kelley, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams and Willis.

—65

Nays: Reps. Boles, Brakefield and Patton.

—3

And the bill:

H. 49. (With Substitute): To amend Act No. 81-859, H. 630 of the 1981 Regular Session, which Act makes appropriations from various funds of the State for the ordinary expenses of the Executive, Legislative, and Judicial functions of government for the fiscal year ending September 30, 1982, so as to correct typographical errors and to add an appropriation for the Board of Polygraph Examiners and to make further appropriations of State Funds for the Fiscal Year ending September 30, 1982.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to appropriations for the ordinary expenses of certain of the executive, Legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for

supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement-Hazardous Waste Control, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from the general fund of the State Treasury for the fiscal year ending September 30, 1982 the following:

(a) For the Military Department

For Social Security	27,583
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(b) For the Department of Conservation and Natural Resources:

For Outdoor Recreation

Sites and Services	3,443,800
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(c) For the Department of Public Health:

For Environmental Health Improvement-Hazardous Waste Control	300,000
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(d) For the Board of Pardons and Parole:

For the operations and functions of the Board	860,000
--	---------

Section 2. There is hereby appropriated \$14,000 from the Polygraph Examiners Fund, for the fiscal year ending September 30, 1982:

For the Board of Polygraph Examiners	14,000
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Section 3. All supplemental appropriations made in Sections 1 and 2 of this act shall be in addition to any and all other funds heretofore or hereinafter appropriated to: the Military Department, the Board of Polygraph Examiners, the Department of Conservation and Natural Resources, the Department of Public Health and the Board of Pardons and Parole for the fiscal year ending September 30, 1982.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Blake, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cooley, Daniels, Dial, Drinkard, Edwards, Gilmer, Grouby, Hall, Harper (O), Higginbotham, Hines, Holmes, Johnson (R. G.), Kennedy, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Stewart, Trammell, Turner, Venable, Waggoner, Ward, Warren and Whatley.

—59

And the bill:

H. 49. Relating to appropriations for the ordinary expenses of certain of the executive, legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement-Hazardous Waste Control, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 4.

Yeas:

Mr. Speaker, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Clark (G), Cooley, Crow, Drinkard, Edwards, Gafford, Gilmer, Grouby, Hammett, Harper (O), Harvey, Hines, Holley, Holmes, Johnson (R. G.), Letson, McKee, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Smith (C), Starkey, Stewart, Turner, Turnham, Venable, Ward, Whatley and Willis.

—53

Nays: Reps. Boles, Smith (M), Trammell and Wyatt.

—4

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith (C), the rules were suspended in order to take up out of order the bill, H. 56.

Yeas 49; Nays 2.

Yeas:

Mr. Speaker, Barton, Bedsole, Biddle, Bowling, Brakefield, Cabaniss, Carothers, Cates, Cheatwood, Cooley, Daniels, Drinkard, Edwards, Gafford, Gilmer, Gregg, Grimsley, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Langford, Letson, McMillan, Moore, Naramore, Nevett, Olive, Owens, Penry, Ray, Riddick, Roberts, Seibels, Smith (C), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Whatley, Williams and Wyatt.

—49

Nays: Reps. Rains and Turner.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 56. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 1.

Yeas:

Reps. Adams (H), Barton, Bedsole, Biddle, Brakefield, Buskey, Campbell, Carothers, Cates, Cheatwood, Clark (W), Cooley, Crow, Daniels, Drinkard, Edwards, Gafford, Grimsley, Hammett, Harper (O), Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Langford, Letson, McMillan, Minus, Moore, Naramore, Nevett, Olive, Owens, Parker, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Smith (C), Trammell, Turnham, Venable, Ward, Whatley, Williams and Wyatt.

—49

Nay: Rep. Turner.

—1

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Rep. Holley:

H. R. 43. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA That when we adjourn today we adjourn to meet Wednesday, October 7, 1981, at 9:30 A.M. instead of 12:00 noon.

The resolution, H. R. 43, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 39. ENCOURAGING THE MARYLAND PAROLE COMMISSION TO DENY PAROLE TO ARTHUR BREMER.

Also:

H. J. R. 40. MOURNING THE DEATH OF OFFICER TOMMY LEE THEDFORD.

Also:

H. J. R. 42. COMMENDING RADIO STATION WLWI IN MONTGOMERY, ALABAMA, ON ITS PROMOTION OF OCTOBER AS "COUNTRY MUSIC MONTH".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Proctor, Keener, Denton and Cook:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 1 Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. White and Holmes:

S. 12. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 12. Health.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:55 P. M. on October 6, 1981

H. J. R. 4

H. J. R. 10

H. J. R. 22

H. J. R. 25

H. J. R. 26

H. J. R. 27

H. J. R. 28

H. J. R. 31

H. J. R. 32

Delivered to the Governor at 3:15 on October 6, 1981

H. J. R. 37

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Carothers and pursuant to the resolution, H. R. 36, heretofore adopted, the House adjourned until 12:00 o'clock noon, Wednesday, October, 7, 1981.

Yeas 39; Nays 13.

Yeas:

Reps. Blake, Bowling, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Edwards, Escott,

4th Day

Grouby, Harper (O), Higginbotham, Holley, Howard, Kennedy, Langford, Letson, McMillan, Manley, Minus, Nevett, Olive, Patton, Rains, Riddick, Roberts, Sasser, Seibels, Trammell, Turner, Venable, Williams and Wyatt.

—39

Nays:

Reps. Amari, Cabaniss, Gilmer, Holmes, Johnson (R. G.), Lewis, Naramore, Owens, Payne, Pegues, Shoemaker, Smith (C) and Stewart.

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, October 7, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Buddy Reeves, Minister, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 44. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Wednesday, October 7, 1981, we adjourn to meet again on Thursday, October 8, 1981, at 10:00 A. M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 44, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Rains, leave of absence was granted for Rep. Stout, due to illness.

BILLS ON SECOND READING

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

H. 116. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

S. 20. To require the reporting of property damage and physical assaults on teachers, other school employees and students in public schools; to provide penalties for failure to report said incidents; and to provide for an effective date.

Rep. Shoemaker, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 37. (With Amendment): To amend section 16-13-145 of the Code of Alabama 1975, relating to the funding of county and city boards of education, so as to authorize said boards to participate in the energy conservation financing programs of the Tennessee Valley Authority.

Rep. Shoemaker, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 115. To amend Section 7 of Act No. 81-721, H. 769 of the 1981 Regular Session (Acts 1981, page 1227) which authorizes the incorporation and organization of a public corporation in the state to be named the Alabama synfuels development authority for the purpose of furthering the development of synthetic fuels, so as to grant the authority the power to convey to any private corporation for fair market value any real, personal or mixed property necessary or convenient to the authority in the performance of its duties.

H. 78. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

Rep. Carothers, Chairman of the Standing Committee on Health reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 10. To amend section 22-6-7, Code of Alabama 1975, so as to provide further for the letting of certain contracts by the Medicaid Agency of the State of Alabama.

S. 12. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 51. To alter, re-arrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

S. 58. Relating to the cities of Sylacauga, Talladega, Childersburg and Lincoln in Talladega County, Alabama; authorizing said cities at the sole discretion of their respective city councils to appropriate funds each fiscal year to pay for costs of the Talladega County District Court, Juvenile Division.

S. 59. Relative to Talladega County; to amend further Act No. 81-125, S. 101, 1981 Regular Session (Acts 1981), entitled, "An act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Talladega County," so as to provide for financing of Juvenile Justice and Law Enforcement by increasing the costs and charges of Court.

S. 65. Relating to Marshall county; to provide for an additional expense allowance for the members of the board of equalization of said county and to repeal Act No. 81-511, S. 589, 1981 Regular Session (Acts 1981, p. 874).

S. 71. Relating to Marshall County; to provide for an additional expense allowance for the members of the jury commission of said county and to repeal Act No. 81-512, S. 590, 1981 Regular Session (Acts 1981, p. 874).

S. 9. Relating to Escambia County; to provide an optional and alternative method of assessing and paying taxes on and issuing license tags or decals for motor vehicles in such county.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 56.(With Substitute): Relating to Escambia County; to amend Section 1, Section 4, and Section 6 of Act No. 81-841, H. 1056, 1981 Regular Session, relating to the county jury commission, so as to provide further for the board of appointment, and the compensation of the clerk and members of said commission.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Biddle, the rules were suspended in order to take up out of order the bill, H. 7.

Yeas 34; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bedsole, Bennett, Biddle, Blake, Brakefield, Cabaniss, Carothers, Cosby, Daniels, Dial, Drinkard, Edwards, Gafford, Grouby, Hall, Hammett, Harper (T), Langford, Lewis, Naramore, Olive, Payne, Pegues, Rains, Ray, Starkey, Turner, Waggoner, Whatley, Wyatt and Zoghby.

—34

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 7. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of reemployment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 10; Nays 1.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Cheatwood, Lewis, Olive, Smith (J), Waggoner and Wyatt.

—10

Nay: Rep. Harrison.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 39. ENCOURAGING THE MARYLAND PAROLE COMMISSION TO DENY PAROLE TO ARTHUR BREMER.

Also:

H. J. R. 40. MOURNING THE DEATH OF OFFICER TOMMY LEE THEDFORD.

Also:

H. J. R. 42. COMMENDING RADIO STATION WLWI IN MONTGOMERY, ALABAMA, ON ITS PROMOTION OF OCTOBER AS "COUNTRY MUSIC MONTH."

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Venable, the rules were suspended in order to take up out of order the bill, H. 74.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Clark (G), Clark (W), Cosby, Crow, Daniels, Drinkard, Edwards, Grouby,

Hall, Hammett, Higginbotham, Holley, Kennedy, Laird, Lewis, Manley, Mitchell, Naramore, Olive, Parker, Pegues, Ray, Shavers, Smith (C), Stewart, Turner, Venable, Ward, Whatley, Willis and Zoghby.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 74. To amend Code of Alabama 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomination, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Bennett, Blake, Brakefield, Buskey, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Grouby, Hall, Hammett, Harper (T), Higginbotham, Holley, Holmes, Kennedy, Laird, Lewis, McMillan, Manley, Mitchell, Naramore, Olive, Parker, Pegues, Rains, Ray, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Turner, Venable, Ward, Whatley, Willis and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Venable, the rules were suspended in order to take up out of order the bill, H. 73.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Amari, Bennett, Brakefield, Buskey, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Daniels, Dixon, Edwards, Grimsley, Grouby, Hammett, Harper (T), Higginbotham, Holley, Holmes, Johnson (R. G.), Kennedy, Laird, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Pegues, Ray, Roberts, Shavers, Smith (C), Starkey, Stewart, Turner, Venable, Waggoner, Ward, Whatley, Willis, Wyatt and Zoghby.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 73. To amend Section 17-9-33, Code of Alabama 1975, which provides for the canvassing of votes and the proclamation of election results, so as to allow non-carbonized paper to be used on the statements of canvass.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Gregg, Grimsley, Grouby, Hall, Hammett, Hines, Holley, Johnson (R. G.), Kennedy, Laird, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Payne, Pegues, Rains, Ray, Riddick, Shavers, Smith (C), Starkey, Stewart, Turner, Venable, Waggoner, Ward, Whatley, Willis, Wyatt and Zoghby.

—58

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Waggoner, the rules were suspended in order to take up out of order the bill, H. 9.

Yeas 27; Nays 0.

Yeas:

Reps. Amari, Bennett, Cabaniss, Carothers, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Edwards, Hammett, Harper (T), Hines, Johnson (R. G.), Langford, Lewis, McMillan, Manley, Minus, Mitchell, Olive, Owens, Pegues, Stewart, Waggoner, Willis and Zoghby.

—27

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 9. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 17; Nays 0.

Yeas:

Reps. Amari, Bennett, Cabaniss, Carothers, Cheatwood, Crow, Grouby, Hall, Hines, Lewis, McMillan, Mitchell, Olive, Pegues, Turner, Waggoner and Whatley.

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Waggoner, the rules were suspended in order to take up out of order the bill, H. 11.

Yeas 10; Nays 0.

Yeas:

Reps. Amari, Bennett, Cabaniss, Cheatwood, Hall, Harper (T), Lewis, Olive, Pegues and Waggoner.

—10

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 11. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 9; Nays 0.

Yeas:

Reps. Amari, Bennett, Cabaniss, Cheatwood, Harper (T), Lewis, Olive, Pegues and Waggoner.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Waggoner, the rules were suspended in order to take up out of order the bill, H. 12.

Yeas 8; Nays 0.

Yeas:

Reps. Amari, Bennett, Cabaniss, Cheatwood, Lewis, Olive, Turner and Waggoner.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 12. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 9; Nays 0.

Yeas:

Reps. Amari, Bennett, Cabaniss, Cheatwood, Hines, Lewis, Olive, Turner and Waggoner.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Dixon, the rules were suspended in order to take up out of order the bill, H. 45.

Yeas 13; Nays 0.

Yeas:

Reps. Bennett, Gregg, Grouby, Harper (T), Hines, Holley, McMillan, Pegues, Stewart, Turner, Willis, Wyatt and Zoghby.

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 45. To amend Section 6-5-33, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

Was taken up.

AMENDMENT OFFERED

Rep. Dixon offered the following amendment to the bill, H. 45:

On page 1, in the synopsis, on line 9 strike the words and figures "Section 6-5-33" and insert in lieu thereof:

Section 6-5-333

On page 1, in the title, on line 21 strike the words and figures "Section 6-5-33" and insert in lieu thereof:

Section 6-5-333

On page 1, in Section 1, on line 28 delete the words and figures "Section 6-5-33" and insert in lieu thereof:

Section 6-5-333

On page 1, in Section 1, on line 30 delete the words and figures "§6-5-33" and insert in lieu thereof:

§6-5-333

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 17; Nays 0.

Yeas:

Reps. Bedsole, Cabaniss, Cosby, Dixon, Edwards, Gafford, Grouby, Harper (T), Hines, Holley, Holmes, McMillan, Olive, Pegues, Stewart, Willis and Wyatt.

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 45. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 22: Nays 0.

Yeas:

Reps. Amari, Bedsole, Bennett, Brakefield, Cabaniss, Cheatwood, Clark (W), Dixon, Grouby, Harper (T), Hines, Holley, Holmes, Lewis, McMillan, Olive, Pegues, Smith (C), Stewart, Venable, Wyatt and Zoghby.

—22

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Smith (J):

H. R. 45 COMMENDING MR. GARY CARLTON HUCKABY OF HUNTSVILLE, ALABAMA, FOR MERITORIOUS SERVICE TO THE BAR.

Also:

By Rep. Smith (J):

H. R. 46. COMMENDING MR. GEORGE K. WILLIAMS OF HUNTSVILLE, ALABAMA, ON HIS ELECTION AS PRESIDENT OF THE HUNTSVILLE-MADISON COUNTY BAR ASSOCIATION.

BILLS ON THIRD READING

And the bill:

S. 48. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

Was taken up.

S. 48 INDEFINITELY POSTPONED

On motion of Rep. Ray, the bill, S. 48, was indefinitely postponed.

And the bill:

S. 49. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Was taken up.

S. 49 INDEFINITELY POSTPONED

On motion of Rep. Ray, the bill, S. 49, was indefinitely postponed.

And the bill:

S. 60. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Mr. Speaker, Bennett, Carter, Cates, Cheatwood, Clark (W), Crow, Gilmer, Grouby, Hall, Hammett, Holmes, McMillan, Naramore, Olive, Owens, Parker, Pegues, Rains, Roberts, Smith (C), Stewart, Willis, Wyatt and Zoghby.

—25

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 51. To provide a supplement to the salaries of district court bailiffs in the Thirteenth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 29; Nays 0.

Yeas:

Mr. Speaker, Amari, Bennett, Blake, Brakefield, Buskey, Cabaniss, Carter, Cheatwood, Clark (G), Clark (W), Cooley, Gilmer, Grouby, Hall, Harper (T), Kennedy, Langford, McMillan, Manley, Naramore, Olive, Pegues, Smith (C), Smith (J), Stewart, Willis, Wyatt and Zoghby.

—29

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 107. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit charitable organizations in Montgomery County.

Was read a third time at length and lost, lacking a three-fifths vote of all members elected to the House.

Yeas 42; Nays 14.

Yeas:

Mr. Speaker, Amari, Bedsole, Bennett, Biddle, Boles, Buskey, Cabaniss, Carothers, Clark (G), Clark (W), Coburn, Cosby, Crow, Dial, Edwards, Gafford, Hammett, Harper (T), Holmes, Horn, Kennedy, Langford, Lewis, McMillan, Manley, Mitchell, Moore, Owens, Pegues, Sandusky, Shavers, Shoemaker, Smith (J), Starkey, Trammell, Tucker, Waggoner, Williams, Willis, Wyatt and Zoghby.

—42

Nays:

Reps. Brakefield, Cheatwood, Dixon, Gilmer, Grouby, Holley, Laird, McKee, Olive, Parker, Ray, Smith (C), Turner and Ward.

—14

And the bill:

H. 2. To repeal Sections 10-2A-260 and 10-2A-261, Code of Alabama 1975, to eliminate the filing of an annual report with the Secretary of State; to repeal the filing fee for such annual report by amending Section 10-2A-281(20), Code of Alabama 1975; and to require more comprehensive information to be given on the permit application filed with the Department of Revenue under Sections 40-14-21 and 40-14-22, Code of Alabama 1975.

Was taken up.

SUBSTITUTE OFFERED

Rep. Manley offered the following substitute to the bill, H. 2:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 136 and 137 of the Alabama Business Corporations Act, Act No. 80-633, H. 81, 1980 Regular Session (Acts 1980, p. 1094), appearing as Sections 10-2A-260 and 10-2A-261 in 1980 Replacement Volume 7 of the Code of Alabama 1975, so as to provide that information filed by corporations pursuant to Section 40-14-21 and 40-14-22, Code of Alabama 1975, shall constitute and be accepted in lieu of the requirement of filing annual reports under the Sections referred to hereinabove and to amend

Section 10-2A-281, Code of Alabama 1975, which provides for fees for filing certain documents, so as to eliminate the fee for filing an annual report.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10-2A-260, of the Code of Alabama, 1975, is amended as follows:

"§ 10-2A-260. (a) Each domestic corporation, and each foreign corporation authorized to transact business in this state, shall file, within the time prescribed by this chapter, an annual report setting forth:

"(1) The name of the corporation and the state or country under the laws of which it is incorporated.

"(2) The address of the registered office of the corporation in this state, and the name of its registered agent in this state at such address, and, in case of a foreign corporation, the address of its principal office in the state or country under the laws of which it is incorporated.

"(3) A brief statement of the character of the business in which the corporation is actually engaged in this state.

"(4) The names and respective addresses of the president and secretary of the corporation.

"(b) Such annual report shall be made on prescribed forms and the information therein contained shall be given as of the date of the execution of the report. It shall be executed for the corporation by its president, a vice-president, secretary, an assistant secretary, or treasurer, and verified by the officer executing the report, of, if the corporation is in the hands of a receiver or trustee, it shall be executed on behalf of the corporation and verified by such receiver or trustee.

"(c) The public record information filed with the Department of Revenue, pursuant to Sections 40-14-21 and 40-14-22, Code of Alabama 1975, shall constitute and be accepted in lieu of the annual report required pursuant to this Section."

Section 2. Section 10-2A-261 of the Code of Alabama, 1975, is amended as follows:

"§ 10-2A-261. Such annual report of a domestic or foreign corporation shall be delivered to the secretary of state between the first day of January and the fifteenth day of March of each year except that the first annual report of a domestic or foreign corporation shall be filed between the first day of January and the fifteenth day of March of the year, next succeeding the calendar year in which its certificate of incorporation or its certificate of authority, as the case may be, was issued by the secretary of state. Proof to the satisfaction of the secretary of state that prior to the fifteenth day of March such report was deposited in the United States mail in a sealed envelope, properly addressed, with postage prepaid, shall be deemed a compliance with this requirement. If the secretary of state finds that such report conforms to the requirements of this chapter, he shall file the same. If he finds that it does not so conform, he shall promptly return the same to the corporation for any necessary corrections, in which event the penalties hereinafter prescribed for failure to file such report with the time hereinabove provided shall not apply, if such report is corrected to conform to the requirements of this chapter and returned to the secretary of state within 30 days from the date on which it was mailed to the corporation by the secretary of state.

"The public record information filed with the Department of Revenue, pursuant to Sections 40-14-21 and 40-14-22, Code of Alabama 1975, shall constitute and be accepted in lieu of the annual report required pursuant to this Section."

Section 3. Section 40-14-21 of the Code of Alabama, 1975, is amended as follows:

"§ 40-14-21. Every foreign or nonresident corporation and all corporations organized under or by authority of the laws of any state or government other than the state of Alabama, in addition to other license and privilege taxes required to be paid by law, and for the purpose of registration and to prevent the duplication of names and in order to secure for the public record, for taxation and for other purposes, the names and addresses of the said corporation and individual officers thereof, shall be required to procure from the department of revenue, when it is admitted or authorized by law to do business and annually thereafter, a permit, which permit shall be prepared by and countersigned by the comptroller and shall be delivered by the comptroller to the department of revenue in a well-bound book with the stub and blanks therein showing the date thereof, the names of the corporations when issued and the character of business engaged in by said corporation. The issuance of such permit to any such corporation shall be prima facie evidence of its having complied with all the laws required of it before engaging in business in this state. For all such permits said corporation shall, upon admission and when authorized to do business as a corporation and annually thereafter, on or before March 15 of every year pay to the department of revenue a fee of \$5.00 per annum or for a part of a year, if the capital employed in this state of such corporation is less than \$1,000.00; if capital employed is \$1,000.00 and not over \$10,000.00, it shall pay the sum of \$10.00; if the capital employed in this state is in excess of \$10,000.00 but not in excess of \$25,000.00, a fee of \$20.00 shall be paid; if the capital employed in this state is in excess of \$25,000.00 and not in excess of \$50,000.00, the fee shall be \$50.00; and if the capital employed in this state is in excess of \$50,000.00, the fee shall be \$100.00. The tax base under this section shall be upon the actual amount of capital employed as determined under section 40-14-41. The department of revenue shall keep a full and complete account of all moneys received by it for and on account of such permit and shall pay the same into the state treasury as all other moneys collected or received by it are paid into the state treasury. No corporation, its agents, officers or servants shall transact any business for or in the name of such corporation within the state of Alabama without having first procured said permit, and all contracts, engagements or undertakings or agreements with, by or to such corporations made without obtaining such permit shall be null and void. Application for said permit shall be made by said corporation as provided by law, giving the name and address of said corporation, its principal place of business where organized, its principal place of business in Alabama, its agent upon whom process can be served, his address and the names of the president and secretary of said corporation, and the names and addresses of its directors residing in Alabama. Strictly benevolent, educational or religious corporations shall not be required to pay such permit fee.

"The application shall also include the state or country under the laws of which said incorporation is incorporated, the address of the registered office of the corporation in this state and the name of its registered agent in this state at such address, and, in the case of a foreign corporation, the address of its principal office in the state or country under the laws of which it is incorporated, as well as a brief statement of the character of business in

which the corporation is actually engaged in this state and the names and addresses of the president and secretary of said corporation.

"Only information secured as a public record shall be transferred to the office of the Secretary of State to be maintained for public information purposes."

"The Secretary of State is only authorized to certify as a part of the records of the Secretary of State's office information filed with the Department of Revenue pursuant to this Section which is secured as a public record."

"For purposes of this Section, the certification by an officer of the corporation, the receiver or trustees empowered to execute this application shall have the same legal effect as if made under oath."

Section 3. Section 40-14-22 of the Code of Alabama, 1975, is amended as follows:

"§.40-14-22. Every domestic corporation organized under or by authority of the laws of the state of Alabama, in addition to other license and privilege taxes required to be paid by law, and for the purpose of registration and to prevent the duplication of names and in order to secure for the public record, for taxation and for other purposes the names and addresses of the said corporations and individual officers thereof, shall be required to procure from the department of revenue, when it is authorized by law to do business and annually thereafter, a permit, which permit shall be prepared by and countersigned by the comptroller, and shall be delivered by the comptroller to the department of revenue in a wellbound book with the stub and blanks therein showing the date thereof, the names of the corporations and when issued and the character of business engaged in by said corporation. The issuance of such permit to any such corporation shall be prima facie evidence of its having complied with all the laws required of it before engaging in business in this state. For all such permits said corporation shall, when authorized to do business as a corporation and annually thereafter, on or before March 15 of every year, pay to the department of revenue a fee of \$10.00 per annum or for a part of a year if the paid capital stock of such corporation is less than \$25,000.00; if more than \$25,000.00 and not over \$50,000.00, it shall pay the sum of \$20.00; if the paid capital stock is in excess of \$50,000.00, but not in excess of \$100,000.00, a fee of \$30.00 shall be paid; if the paid capital stock is in excess of \$100,000.00 and not in excess of \$150,000.00, the fee shall be \$50.00; if the paid capital stock is in excess of \$150,000.00, the fee shall be \$100.00. The department of revenue shall keep a full and complete account of all moneys received by it for and on account of such permit and shall pay the same into the state treasury as all other moneys collected or received by it are paid into the state treasury. If any corporation fails or refuses to take out the permit herein provided for within two and one-half months after January 1, such corporation shall be required to pay a penalty of \$5.00 per day for each day's delinquency; provided further, that for good cause the department of revenue may relieve any domestic corporation of all or any part of the penalty imposed herein. Application for said permit shall be made by said corporation, its principal place of business where organized, its principal place of business in Alabama, its agent upon whom process can be served, his address and the names of the president and secretary of said corporation. Strictly benevolent, educational or religious corporations shall not be required to pay such permit fee.

"The application shall also include the state or country under the laws of which said incorporation is incorporated, the address of the registered office of

the corporation in this state and the name of its registered agent in this state at such address, and, in the case of a foreign corporation, the address of its principal office in the state or country under the laws of which it is incorporated, as well as a brief statement of the character of business in which the corporation is actually engaged in this state and the names and addresses of the president and secretary of said corporation.

"Only information secured as a public record shall be transferred to the office of the Secretary of State to be maintained for public information purposes."

"The Secretary of State is only authorized to certify as a part of the records of the Secretary of State's office information filed with the Department of Revenue pursuant to this Section which is secured as a public record.

"For purposes of this Section, the certification by an officer of the corporation, the receiver or trustees empowered to execute this application shall have the same legal effect as if made under oath."

Section 4. Section 10-2A-281, Code of Alabama 1975, is hereby amended to read as follows:

"§ 10-2A-281. (a) In lieu of all other charges and fees the probate judge shall charge and collect in accordance with the provisions of this chapter:

"(1) Filing articles of incorporation and issuing a certificate of incorporation, \$20.00 for the state of Alabama and \$25.00 for the probate judge.

"(2) Filing articles of corrections, \$10.00 for the probate judge.

"(3) Filing articles of amendment and issuing a certificate of amendment, \$10.00 for the probate judge.

"(4) Filing restated articles of incorporation, \$25.00 for the probate judge.

"(5) Filing articles of merger or consolidation and issuing a certificate of merger or consolidation, \$75.00 for the state of Alabama and \$25.00 for the probate judge.

"(6) Filing an application to reserve a corporate name, \$5.00 for the state of Alabama.

"(7) Filing a notice of transfer of a reserved corporate name, \$5.00 for the state of Alabama.

"(8) Filing a statement of change of address of registered office or change of registered agent, or both, \$5.00 for the state of Alabama.

"(9) Filing a statement of the establishment of a series of shares, \$5.00 for the probate judge.

"(10) Filing a statement of cancellation of shares, \$5.00 for the probate judge.

"(11) Filing a statement of reduction of stated capital, \$5.00 for the probate judge.

"(12) Filing a statement of intent to dissolve, \$5.00 for the probate judge.

"(13) Filing a statement of revocation of voluntary dissolution proceedings, \$5.00 for the probate judge.

"(14) Filing articles of dissolution, \$5.00 for the probate judge.

"(15) Filing an application of a foreign corporation for a certificate of authority to transact business in this state and issuing a certificate of authority, \$75.00 for the state of Alabama.

"(16) Filing an application of a foreign corporation for an amended certificate of authority to transact business in this state and issuing an amended certificate of authority, \$25.00 for the state of Alabama.

"(17) Filing a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to transact business in this state, \$25.00 for the state of Alabama.

"(18) Filing a copy of articles of merger of a foreign corporation holding a certificate of authority to transact business in this state, \$100.00 for the state of Alabama.

"(19) Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, \$5.00 for the state of Alabama.

"(20) Filing an annual report or any other statement or report, of a domestic or foreign corporation, \$5.00 for the state of Alabama.

"(b) When appropriate two checks shall accompany the document, one payable to the probate judge for all charges for the probate judge, and one payable to the state of Alabama covering all charges for the secretary of state. The check for the secretary of state will be forwarded by the probate judge to the secretary of state.

"(c) The fees herein imposed for the state of Alabama shall be collected by the secretary of state and paid into the treasury of the state. The fees herein imposed for the office of the probate judge shall be charged and paid into the appropriate county treasury or to the probate judge as may be authorized or required by law."

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Amari, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Clark (G), Clark (W), Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (T), Holley, Johnson (R. G.), Kennedy, Laird, Langford, Lewis, McKee, Manley, Naramore, Olive, Owens, Pegues, Rains, Ray, Riddick, Roberts, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

—57

H. 2 TEMPORARILY POSTPONED

On motion of Rep. Manley, further consideration of the bill, H. 2 as amended, was temporarily postponed.

CO-SPONSOR ADDED

Rep. Carothers was added as co-sponsor to the bill, H. 2.

MOTION TO SUSPEND RULES

Rep. Minus offered the motion to suspend the rules in order to take up out of order the bill, H. 27.

MOTION TO TEMPORARILY POSTPONE

Rep. Carothers offered the motion to temporarily postpone consideration of the bill, H. 27.

MOTION TO POSTPONE TABLED

On motion of Rep. Minus, the motion offered by Rep. Carothers to temporarily postpone consideration of the bill, H. 27, was tabled.

Yeas 40; Nays 16.

Yeas:

Reps. Bennett, Blake, Boles, Bowling, Brakefield, Cheatwood, Cooley, Cosby, Crow, Dial, Dixon, Edwards, Gilmer, Grouby, Hall, Harvey, Holmes, Horn, Kennedy, Langford, Letson, McKee, Minus, Mitchell, Naramore, Olive, Owens, Parker, Pegues, Rains, Riddick, Sasser, Seibels, Smith (C), Smith (M), Stewart, Trammell, Turner, Turnham and Wyatt.

—40

Nays:

Reps. Cabaniss, Carothers, Carter, Gregg, Hammett, Hines, Johnson (R. G.), Lewis, McMillan, Manley, Roberts, Smith (J), Starkey, Venable, Whatley and Willis.

—16

The question was again on the motion offered by Rep. Minus to suspend the rules in order to take up out of order the bill, H. 27, and the motion was lost, lacking a four-fifths vote.

Yeas 47; Nays 20.

Yeas:

Reps. Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cheatwood, Clark (W), Cobb, Cooley, Cosby, Crow, Dial, Dixon, Edwards, Gafford, Grouby, Hall, Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Kennedy, Langford, Letson, McKee, Minus, Mitchell, Naramore, Olive, Owens, Parker, Pegues, Rains, Riddick, Sasser, Seibels, Smith (C), Smith (M), Stewart, Trammell, Venable, Ward and Wyatt.

—47

Nays:

Reps. Cabaniss, Campbell, Carothers, Carter, Clark (G), Gilmer, Gregg, Grimsley, Hammett, Johnson (R. G.), Laird, Lewis, McMillan, Manley, Roberts, Sandusky, Starkey, Turner, Whatley and Willis.

—20

H. 2 AGAIN TAKEN UP

And the bill, H. 2, which previously was temporarily postponed as amended, was again taken up.

And the bill:

H. 2. To amend Sections 136 and 137 of the Alabama Business Corporations Act, Act No. 80-633, H. 81, 1980 Regular Session (Acts 1980, p. 1094), appearing as Sections 10-2A-260 and 10-2A-261 in 1980 Replacement Volume 7 of the Code of Alabama 1975, so as to provide that information filed by corporations pursuant to Section 40-14-21 and 40-14-22, Code of Alabama 1975, shall constitute and be accepted in lieu of the requirement of filing annual reports under the Sections referred to hereinabove and to amend Section 10-2A-281, Code of Alabama 1975, which provides for fees for filing certain documents, so as to eliminate the fee for filing an annual report.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Amari, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Dial, Edwards, Gafford, Gilmer, Gregg, Grimsley, Grouby, Hammett, Harper (T), Hines, Holley, Holmes, Johnson (R. G.), Laird, Langford, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Pegues, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

—68

BILLS ON THIRD READING RESUMED

And the bill:

S. 57. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

Was read a third time at length and passed.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Amari, Bennett, Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cobb, Coburn, Crow, Dixon, Edwards, Gilmer, Grimsley, Grouby, Hall, Hammett, Hines, Holmes, Laird, Lewis, Owens, Pegues, Rains, Ray, Seibels, Starkey, Stewart, Turner, Turnham, Venable, Williams, Willis and Wyatt.

—36

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Naramore to suspend the rules in order to take up out of order the bill, H. 60, was lost, lacking a four-fifths vote.

Yeas 26; Nays 8.

Yeas:

Reps. Amari, Biddle, Blake, Brakefield, Cabaniss, Carter, Gafford, Grouby, Hall, Hammett, Letson, Lewis, Naramore, Olive, Owens, Rains, Reed, Riddick, Roberts, Seibels, Smith (C), Turner, Turnham, Waggoner, Ward and Wyatt.

—26

Nays:

Reps. Boles, Crow, Dial, Gregg, Johnson (R. G.), Laird, Shoemaker and Willis.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Minus to suspend the rules in order to take up out of order the bill, H. 27, was lost, lacking a four-fifths vote.

Yeas 36; Nays 13.

Yeas:

Reps. Bedsole, Biddle, Blake, Bowling, Carothers, Cates, Cheatwood, Cosby, Dixon, Edwards, Grouby, Hammett, Hines, Holmes, Johnson (R. G.), Langford, McKee, McMillan, Minus, Mitchell, Naramore, Olive, Owens, Parker, Pegues, Reed, Riddick, Seibels, Shoemaker, Smith (M), Stewart, Turnham, Ward, Wyatt and Zoghby.

—36

Nays:

Reps. Carter, Cobb, Gregg, Hall, Kennedy, Laird, Lewis, Roberts, Smith (J), Starkey, Turner, Whatley and Willis.

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 10. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame Board so as

to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 39; Nays 0.

Yeas:

Reps. Albright, Amari, Biddle, Blake, Carter, Cheatwood, Clark (G), Coburn, Cosby, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (T), Holley, Johnson (R. G.), Langford, Lewis, Manley, Minus, Olive, Owens, Payne, Pegues, Rains, Reed, Riddick, Roberts, Seibels, Smith (C), Smith (J), Turnham, Waggoner, Ward, Whatley, Willis and Wyatt.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

PERMISSION GRANTED

Permission was granted for the Journal to show Rep. Seibels voting "Yea" on the bills, H. 7, H. 9, H. 11 and H. 12.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:00 P. M. on October 7, 1981:

H. J. R. 39

H. J. R. 40

H. J. R. 42

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Holley and pursuant to the resolution, H. R. 44, heretofore adopted, the House adjourned until 10:00 o'clock p.m., Thursday, October 8, 1981.

Yeas 37; Nays 21.

Yeas:

Mr. Speaker, Albright, Bedsole, Biddle, Blake, Brakefield, Buskey, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (T), Holley, Kennedy, Laird, McKee, Manley, Moore, Olive, Pegues, Rains, Reed, Roberts, Smith (J), Tucker, Turner, Whatley and Willis.

—37

SECOND EXTRAORDINARY SESSION
5th Day

181

Nays:

Reps. Adams (C), Amari, Dial, Dixon, Edwards, Hines, Holmes, Johnson (R. G.), Lewis, McMillan, Minus, Owens, Payne, Riddick, Seibels, Smith (C), Starkey, Stewart, Turnham, Venable and Wyatt.

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SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, October 8, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Bob Carter, Bush Memorial Baptist Church, Troy, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 19. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: the procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Also:

H. 13. Relating to the City of Valley in Chambers County; to provide further for the police jurisdiction.

Also:

H. 24. To give the county commission of Greene County the authority to increase certain clerk hire allowances and to provide for the purchase of certain office equipment.

Also:

H. 25. Relating to Greene County; to further provide for the per diem of members of the County Board of Equalization.

Also:

H. 28. To provide for a certain increase in court costs in the Choctaw County division of the First Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Choctaw County.

Also:

H. 33. Relating to Cleburne County; providing further for the treating, depositing, dumping, the site of transporting of industrial waste in the county; creating the Cleburne County Industrial Waste Committee and providing for the composition of such committee, the selection of the membership, terms of office, powers and duties; providing for meetings and transaction of business; prescribing public hearings on all proposed activities and sites for such wastes and recommendation therefor by the committee to the appropriate state agencies; and specifically providing that no provision of this act shall be construed to amend or repeal any general law relating to regulating hazardous or solid wastes.

Also:

H. 38. Relating to Cullman County; amending Section 1 of Act No. 711, H. 1109 of the 1976 Regular Session (Acts 1976, p. 991), relating to costs

and charges in criminal cases, so as to further define such costs shall apply in municipal as well as other courts in the county and circuit, and to further prescribe the amount and expenditure of said costs.

Also:

H. 40. Relating to Clarke County; amending Section 2 and repealing Section 3 of Act No. 446, H. 244, Regular Session 1975 (Acts of Alabama 1975, p. 1068), which act provides a clerk-hire allowance for the tax assessor, so as to change the manner of payment of such clerk.

Also:

H. 41. Relating to Morgan County; permitting banks now or hereafter situated in Morgan County to establish, maintain or operate branch banks and branch offices within the corporate limits of Priceville, Alabama, for the conduct of a general banking and trust business.

Also:

H. 55. Relating to Conecuh County; providing an additional clerk-hire allowance for the tax collector and specifically repealing Act No. 471, H. 1265 of the 1975 Regular Session of the Legislature (Acts 1975, p. 1095) and Act No. 79-648 of the 1979 Regular Session of the Legislature (Acts 1979, p. 1128) and all other laws in conflict herewith.

Also:

H. 65. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Also:

H. 64. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

Also:

H. 67. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of Jacksons' Gap in said county.

Also:

H. 70. To alter, rearrange and extend the boundary lines and corporate limits of the town of Fort Deposit in Lowndes County.

Also:

H. 66. To authorize the Etowah County governing body to levy and collect, in addition to all other taxes heretofore imposed by law, a county excise and privilege tax on every person severing coal within the county; to provide that the proceeds collected therefrom be deposited in the county general

fund; to authorize the county governing body to inspect the books of each person severing coal and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; and to prescribe penalties for the violations of the provisions of this Act.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 47. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business October 8, 1981, taking precedence over any other business of the House.

Report of Standing Committees

Introduction of Bills and Resolutions

Uncontested Local Bills

By Mr. Proctor, et al:

S. 1. p. 12 Reapportionment

On motion of Rep. Pegues, the resolution, H. R. 47, was adopted.

BILLS ON SECOND READING

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 8. Relating to the City of Gadsden; amending Section 1 of Act No. 63, H. 1, 1978 Second Special Session (Acts 1978, p. 1750), so as to provide further for the salaries of members of the board of commissioners.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Smith and McDonald:

S. J. R. 21. STRONGLY URGING THE HIGHWAY DEPARTMENT TO PLACE WARNING GATES AND OVERHEAD WARNING SIGNALS AT THE JORDAN LANE RAILROAD CROSSING IN HUNTSVILLE, ALABAMA, AND REQUESTING A DETAILED EXPLANATION TO THE LEGISLATURE IF SUCH ACTIONS ARE NOT TAKEN.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Riddick, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 21, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Teague:

S. J. R. 28. HONORING JUDGE FRANK B. EMBRY, DISTINGUISHED ALABAMA JURIST.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 28, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Denton (By Request) (With Notice and Proof):

S. 72. Relating to Marion County; to further amend Act No. 80-128, H. 603, 1980 Regular Session, entitled "An Act Relating to Marion County; providing for the disposal of property under the control of the county commission; providing that competitive bids must be submitted; providing for the disposition of revenues received from the sale of said property; and providing for penalties for violations," so as to provide further for said disposal.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 72 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 72. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Little and Higginbotham:

S. 39. To amend Section 12-17-61, Code of Alabama 1975, relating to the number of district court judges in the State of Alabama so as to provide two district court judges for Lee County and to provide for the time of establishment of such judgeship No. 2 and for the appointment and election of such additional district judge.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 39. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 41. MOURNING THE DEATH OF PRESIDENT ANWAR AL-SADAT OF EGYPT.

McDOWELL LEE,
Secretary.

H. 23-POSTPONED

On motion of Rep. Clark (G), the bill, H. 23, which was postponed to the sixth legislative day, was postponed to the eighth legislative day.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

And the bill:

S. 58. Relating to the cities of Sylacauga, Talladega, Childersburg and Lincoln in Talladega County, Alabama; authorizing said cities at the sole discretion of their respective city councils to appropriate funds each fiscal year to pay for costs of the Talladega County District Court, Juvenile Division.

Was read a third time at length and passed.

Yeas 19; Nays 1.

Yeas:

Mr. Speaker, Albright, Barton, Bowling, Campbell, Cheatwood, Dial, Gilmer, Hall, Hammett, Johnson (R. G.), Kelley, Letson, Olive, Shoemaker, Trammell, Ward, Whatley and Willis.

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Nay: Rep. Brakefield.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 59. Relative to Talladega County; to amend further Act No. 81-125, S. 101, 1981 Regular Session (Acts 1981), entitled, "An act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Talladega County," so as to provide for financing of Juvenile Justice and Law Enforcement by increasing the costs and charges of Court.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bennett, Bowling, Brakefield, Campbell, Carter, Crow, Dial, Hall, Hammett, Hines, Johnson (R. G.), Kelley, Letson, Lewis, McMillan, Minus, Olive, Owens, Penry, Rains, Shoemaker, Smith (C), Smith (J), Trammell, Turner, Ward, Whatley and Willis.

—30

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 65. Relating to Marshall County; to provide for an additional expense allowance for the members of the board of equalization of said county and to repeal Act No. 81-511, S. 589, 1981 Regular Session (Acts 1981, p. 874).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Mr. Speaker, Albright, Bennett, Bowling, Brakefield, Campbell, Carter, Grouby, Hall, Hammett, Harper (O), Hines, Kelley, Letson, McMillan, Owens, Penry, Rains, Roberts, Smith (C), Smith (J), Turnham, Ward and Willis.

—24

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 71. Relating to Marshall County; to provide for an additional expense allowance for the members of the jury commission of said county and to repeal Act No. 81-512, S. 590, 1981 Regular Session (Acts 1981, p. 874).

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bennett, Bowling, Campbell, Carter, Cheatwood, Cobb, Cosby, Crow, Grouby, Hall, Hines, Kelley, McMillan, Mitchell, Olive, Owens, Pegues, Penry, Rains, Roberts, Shoemaker, Smith (J), Stewart, Turnham, Ward and Willis.

—29

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 9. Relating to Escambia County; to provide an optional and alternative method of assessing and paying taxes on and issuing license tags or decals for motor vehicles in such county.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bennett, Campbell, Cheatwood, Cobb, Edwards, Gafford, Hall, Hammett, Harper (O), Hines, Kelley, Lewis, McMillan, Mitchell, Owens, Penry, Rains, Smith (C), Smith (J), Stewart, Turnham, Ward and Willis.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the Bill:

S. 56. (With Substitute): Relating to Escambia County; to amend Section 1, Section 4, and Section 6 of Act No. 81-841, H. 1056, 1981 Regular Session, relating to the county jury commission, so as to provide further for the board of appointment, and the compensation of the clerk and members of said commission.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

SUBSTITUTE TO SENATE BILL 56

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; to amend Act No. 81-841, H. 1056, 1981 Regular Session, relating to the county jury commission, so as to provide further for the board of appointment, and the compensation of the clerk and members of said commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 81-841, H. 1056, 1981 Regular Session, is hereby amended to read as follows:

"Section 1. In Escambia County, there is hereby created a county jury commission which shall be appointed by the board of appointment. Said commission shall be composed of four members, one to be appointed from each county commissioner district.

"The board of appointment for Escambia County shall be composed of the Circuit Judge, the Probate Judge and the Tax Assessor of the county. The Circuit Judge shall be the Chairman of the board of appointment.

"Section 2. The members of the jury commission shall serve at the pleasure of the board of appointment and shall serve for terms of four years until their successors are appointed and qualified or for a shorter term if dismissed for cause by the unanimous action of the board of appointment. Vacancies shall be filled by the board of appointment as soon as possible upon the occurrence of any vacancy. Any commissioner of the jury commission who moves his residence from the district which he represents thereby automatically vacates his office. Members of the jury commission shall not hold any other public office or any political party office, nor shall they be employed by any governmental unit in any other capacity.

"Section 3. (a) The jury commission shall select from among its members a chairman at the first regular meeting of each year. The commission shall meet at least twice a year for regular meetings not to exceed four successive calendar days per meeting unless authorized by the board of appointment. The chairman shall be authorized, with consent of the board of appointment, to call special meetings of the jury commission. The chairman shall notify all members of the jury commission within a reasonable time, of all meetings, regular or special, including the time, place and subject matter of the meeting.

"(b) Three members present at any meeting shall constitute a quorum for the transaction of business and a majority vote thereof shall be sufficient to transact the business of the jury commission.

"(c) The jury commission shall perform the duties required by law of jury commissions, and shall have and exercise the powers and authority of such commission.

"Section 4. Each member of the jury commission shall be entitled to receive \$60.00 per each day he is actually engaged in the performance of his duties plus mileage on the same basis as mileage allowed to employees of the State of Alabama. Such compensation shall be paid by the county on certificate of the chairman of the jury commission.

"Section 5. Immediately upon the appointment of the jury commission under the provisions of this Act the clerk of the circuit court is directed to mail to each member of the said jury commission a list of registered voters in each member's county commission district along with other suggested sources of names of prospective jurors and in addition the clerk of the circuit court is to provide each member of said commission with a copy of the statutory qualifications for jurors and also a copy of persons exempt from jury duty by statute in order that said member of the jury commission might ascertain the names of qualified jurors in their respective district prior to going into formal session under the provisions of this act and thereby expedite the business of the said jury commission once it meets in formal session to fill the jury box.

"Section 6. The clerk of the circuit court of the county may, at his election, serve as clerk for the jury commission. If for any reason the circuit clerk does not choose to serve, the jury commission shall appoint a clerk. The clerk shall perform the duties prescribed by law for clerks of jury commissions, and shall keep the minutes and records of the board. He shall be paid \$2,400 per year, payable in equal monthly installments from the county general fund.

"Section 7. The board of appointment provided for in Section 1 shall meet within ten days from the effective date of this act, and at a time and place designated by the chairman, and select members of the jury commission as herein provided, whose terms shall begin on the date such meeting is held.

"Section 8. All laws or parts of laws which conflict with this act are repealed and specifically Act No. 515, H. 1267, Regular Session 1976 (Acts 1976, p. 658), is hereby repealed.

"Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

"Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. The provisions of this act are severable. Of any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

And the substitute was adopted.

Yeas 31; Nays 0.

Yeas:

Mr. Speaker, Albright, Bennett, Bowling, Campbell, Carter, Cosby, Crow, Edwards, Gafford, Goodwin, Grouby, Hall, Hammett, Harper (O), Hines, Johnson (R. G.), McMillan, Minus, Olive, Owens, Pegues, Penry, Rains, Shoemaker, Smith (C), Stewart, Turnham, Ward, Whatley and Willis.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 56 as thus amended, was read a third time at length and passed.

Yeas 36; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bennett, Bowling, Campbell, Carter, Clark (G), Cosby, Crow, Edwards, Gafford, Goodwin, Grouby, Hall, Hammett, Harper (O), Hines, McMillan, Manley, Mitchell, Olive, Owens, Pegues, Penry, Rains, Roberts, Shoemaker, Smith (C), Smith (J), Stewart, Turnham, Ward, Whatley and Willis.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION IN WRITING

Rep. Dixon filed the following Motion in Writing:

Having voted on the prevailing side by which H. 107 failed to receive the constitutional requirement, I now move to reconsider the vote by which said bill failed.

SPECIAL ORDER RESUMED

And the bill:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Was taken up.

SUBSTITUTE OFFERED

Rep. Harrison offered the following substitute No. 1 to the bill, S. 1:

A BILL
TO BE ENTITLED
AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF: In Lauderdale County: In Tract 0101: Block Group 1; Block Group 2; Block Group 3; Block Group 4; Block Group 5; All of Tract 0107; Tract 0108; Tract 0115; Tract 0116; Tract 0117; Tract 0118.

HOUSE DISTRICT 2 SHALL CONSIST OF: In Lauderdale County: In Tract 0101: Block Group 6; Block Group 7; All of Tract 0102; Tract 0103; Tract 0104; Tract 0105; Tract 0106; Tract 0109; Tract 0110; Tract 0111; In Tract 0112: Block 103; Block Group 2; Blocks 401, 402 and 403; All of Tract 0113; Tract 0114.

HOUSE DISTRICT 3 SHALL CONSIST OF: In Colbert County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0209; Tract 0210; Tract 0207, Block 101 only; In Lauderdale County: Tract 0112: Block 101; Block 102; Block 149; Block 150; Block Group 3 (all); Block 405; Block 406; Block Group 5; Block Group 6; Block Group 7; Block Group 9; Enumeration District 444T; Enumeration District 444U; Enumeration District 445.

HOUSE DISTRICT 4 SHALL CONSIST OF: In Colbert County: Leighton Division (All); Tract 207 except Block 101 (land only); In Franklin County: Russellville Division (All); In Phil-Campbell Division (Remainder); Enumeration District 0070U; Enumeration District 0071.

HOUSE DISTRICT 5 SHALL CONSIST OF: In Franklin County: Red Bay Division (All); Vina Division (All); Phil-Campbell Division; Enumeration District 0068; Enumeration District 0069; Enumeration District 0070T; In Marion County: All except Guin Division; In Fayette County: Enumeration District 453 of the Russell Division.

HOUSE DISTRICT 6 SHALL CONSIST OF: Lamar County (All); Fayette County except Enumeration; District 453 of the Russell Division; In Marion County: Guin Division.

HOUSE DISTRICT 7 SHALL CONSIST OF: Lawrence County; In Morgan County: Danville Division; Decatur Division; Tract 0051: Block Group 4; Tract 0051: Block Group 5; Tract 0051: Block Group 3; Tract 0051: Block Group 6, except for Blocks 601 through 609p and except for Blocks 623 and 627.

HOUSE DISTRICT 8 SHALL CONSIST OF: In Morgan County: Decatur Division: Tract 0001, except for Block Groups 5 and 6; Tract 0004; Tract 0005; Tract 0006; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0051: Block Group 1; Block Group 2; Blocks 601 through 609p and Blocks 623 and 627; Block Group 7; Block Group 8; Block Group 9.

HOUSE DISTRICT 9 SHALL CONSIST OF: In Morgan County: Tract 0001; Block Group 5; Block Group 6; Tract 0002; Tract 0003; Tract 0053; Tract 0054.02; Lacey Springs Division.

HOUSE DISTRICT 10 SHALL CONSIST OF: In Morgan County: Eva Division; Falkville Division; In Cullman County: Vinemont Division; Simcoe Division; Baileytown-Joppa Division; Holly Pond Division; Welts Division; Hanceville Division.

HOUSE DISTRICT 11 SHALL CONSIST OF: In Cullman County: Cullman Division; Breman Division; Jones Chapel Division; Crane Hill Division; Logan Division; In Winston County: Addison Division (p): Enumeration District 604T; Enumeration District 605A; Enumeration District 605U; In Double Springs Division: Enumeration District 606; Enumeration District 607; Enumeration District 608; Enumeration District 610B; Enumeration District 610A.

HOUSE DISTRICT 12 SHALL CONSIST OF: In Winston County: In Addison Division (p): Enumeration District 600; Enumeration District 601; Enumeration District 605B; Enumeration District 602; Enumeration District 603; Enumeration District 604U; In Double Springs Division: Enumeration District 609T; Enumeration District 609U; Haleyville Division (all); Lynn Division (all); In Walker County: Carbon Hill Division; Nauvoo Division; Manchester Division; Townley Division; In Oakman Division (p): Enumeration District 912; In Jasper Division (p): Enumeration District 882; Enumeration District 883; Enumeration District 879A; Enumeration District 880; Enumeration District 881; Enumeration District 886; Enumeration District 887; In Remainder of Jasper Division: Enumeration District 884; Enumeration District 885A.

HOUSE DISTRICT 13 SHALL CONSIST OF: All of Walker County except that part included in House District 49 and House District 12.

HOUSE DISTRICT 14 SHALL CONSIST OF: In Blount County: Tract 0506; Tract 0505; Except Enumeration District 782; In Jefferson County: Tract 0114; Tract 0113; Tract 0112.06; Tract 0117.06; Tract 0112.05; Tract 0112.04.

HOUSE DISTRICT 15 SHALL CONSIST OF: In Jefferson County: Tract 0125; Block Group 1; Block Group 7; Block Group 8; Block 837; Block Group 9; Block 920; Tract 0124.02; Block Group 1; Block Group 5; Block Group 9; Tract 0124.03; Tract 0121.03; Tract 0123.02; Block Group 1; Block Group 5; Block Group 9; Block Group 8; Tract 0121.04; Tract 0115; Tract 0116; Tract 0117.04; Tract 0117.03.

HOUSE DISTRICT 16 SHALL CONSIST OF: In Limestone County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0207; Tract 0209; Tract 0210; Tract 0211p, Enumeration District 692.

HOUSE DISTRICT 17 SHALL CONSIST OF: In Limestone County: Tract 0208; Tract 0212; Tract 0211 except for Enumeration District 692; In Madison County: Tract 0104; Tract 0105; Tract 0106; Tract 0110; In the Huntsville Division of Madison County: Tract 0014; Tract 0022 except for Blocks 101 through 107; Tract 0023, Blocks 409 through 426; Tract 0013, Blocks 201 through 211; Tract 0105p.

HOUSE DISTRICT 18 SHALL CONSIST OF: In Madison County: Tract 0111; Tract 0112; In Huntsville Division: Tract 0023; Blocks 301-320; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0028.01; Tract 0027.01; Tract 0029.01; Tract 0028.02; Tract 0029.02; Tract 0026, Block Group 3; Tract 0113p; In New Hope Division: Tract 0113p, Block Group 1.

HOUSE DISTRICT 19 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0021; Tract 0012; Tract 0015; Tract 0006.01; Tract 0006.02; Tract 0005.03; Tract 0005.02; Tract 0005.01; Tract 0004.01; Tract 0023; Block Group 1; Block Group 2; Blocks 321-322; Blocks 401-408; Tract 0007.02; Blocks 105-122; Tract 0022; Blocks 101-107; Tract 0013, except for Blocks 201-211.

HOUSE DISTRICT 20 SHALL CONSIST OF: In Madison County: Tract 0107, except for Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population. In Huntsville Division: Tract 0004.02; Tract 0003.02; Tract 0003.01; Tract 0002.02; Tract 0007.01; Tract 0007.02; Blocks 101-104; Tract 0008; Tract 0002.01; Tract 0009.01; Tract 1018p; Block Group 9.

HOUSE DISTRICT 21 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0001; Tract 0010; Tract 0011; Tract 0016; Tract 0017; Tract 0018.01; Tract 0018.02; Tract 0019.01; Tract 0019.02; Tract 0019.03; Tract 0020; Tract 0027.02; Tract 0026: Block Groups 1 and 2; Tract 0109p (in Huntsville Division); Tract 0009.02.

HOUSE DISTRICT 22 SHALL CONSIST OF: In Madison County: Tract 0113, less New Hope Division, Huntsville City (pt.) and less New Hope Division Tract 0113p, Block Group 1; Tract 0114; Tract 0109; Tract 0108, less 0108p, Block Group 9; Tract 0102; Tract 0101; Tract 0103, and Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population. In Jackson County: The Paint Rock Division; The Princeton Division; The Scottsboro Division—BNA 9902, Enumeration District 197; Enumeration District 198.

HOUSE DISTRICT 23 SHALL CONSIST OF: In DeKalb County: The Ider Division (p.t.), Enumeration District 1401; In Jackson County: BNA 9901 of the Scottsboro Division; The Stevenson Division; The Bridgeport Division; The Long Island Division; The Pisgah Division; The Section Division; Enumeration District 196 of the Scottsboro Division.

HOUSE DISTRICT 24 SHALL CONSIST OF: In DeKalb County: The Ft. Payne Division; The Valley Head-Mentone Division; The Ider Division (pt.), less E. D. 0401; The Heneger Division; The Rainesville-Sylvania Division; The Fyffe Division.

HOUSE DISTRICT 25 SHALL CONSIST OF: In Marshall County: Town Creek Division; Albertville-Boaz Division, except Enumeration District 817 and Enumeration District 821; In DeKalb County: Collinsville Division; Crossville Division; Geraldine Division.

HOUSE DISTRICT 26 SHALL CONSIST OF: In Marshall County: Grant Division; Union-Grove Division; Arab Division; Guntersville Division; Douglass Division.

HOUSE DISTRICT 27 SHALL CONSIST OF: In Marshall County: Albertville-Boaz Division (p): Enumeration District 817; Enumeration District 821; In Etowah County: Mountainboro Division, except Enumeration District 514A; Altoona Division; In Blount County: All except Haden Division; Blountsville Division, except: Enumeration District 781; Enumeration District 783; Enumeration District 784.

HOUSE DISTRICT 28 SHALL CONSIST OF: In Etowah County: Tract 0006; Tract 0011; Tract 0013; Tract 0014; Tract 0015; Tract 0016; Tract 0017; Tract 0101; Tract 0102; Tract 0104; Tract 0103(p): Enumeration District 527; Enumeration District 528; Block Group 1; Block Group 2.

HOUSE DISTRICT 29 SHALL CONSIST OF: In Etowah County: Tract 0001; Tract 0002; Tract 0003; Tract 0004; Tract 0005; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0012; Tract 0108; Tract 0109; Tract 0103(p): Block Group 9; Enumeration District 525; Enumeration District 526; Tract 0107(p): Block Group 1; Block Group 2; Block Group 6; Tract 0110(p): Mountainboro Division: Enumeration District 514A.

HOUSE DISTRICT 30 SHALL CONSIST OF: Cherokee County (All); In Etowah County: Tract 0105; Tract 0106; Tract 0107p: Enumeration District 501; Enumeration District 500.

HOUSE DISTRICT 31 SHALL CONSIST OF: In Jefferson County: Tract 0108.03; Tract 0108.05; Block Group 6; Blocks 602, 603, 605, 606, 607, 609,

610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 621, 622, 623, 624, 625, 626, 628, 629, 630, 634, 635, 636, 637, 638, 639, 646, 654, 655, 657; Block Group 9; Tract 0127.02; Tract 0127.01; Tract 0126.02; Tract 0111.05; Tract 0022; Tract 0020; Tract 0021; Block Group 1; Tract 0126.01.

HOUSE DISTRICT 32 SHALL CONSIST OF: In Jefferson County: Tract 0049; Tract 0048; Tract 0047.02; Tract 0023.06; Tract 0108.01; Tract 0056; Tract 0108.02; Tract 0023.05; Tract 0023.04; Tract 0023.03; Less Tract 0056; Block Group 1; Tract 0050; Block Group 2; Blocks 201, 202, 203, 204, 205, 206, 207.

HOUSE DISTRICT 33 SHALL CONSIST OF: In Jefferson County: Tract 0129.04; Block Group 4; Block Group 6; Block Group 8; Block Group 7; Blocks 703, 704, 705, 706, 707, 709, 710, 734, 744, 745, 759, 760, 763, 764, 765, 767, 768, 785, 786, 798; Tract 1029.01; Tract 0129.02; Tract 0129.03; Tract 0128.01; Tract 0108.04; Tract 0128.02; Tract 0180.05; Block Group 7; Block Group 6; Blocks 642, 641, 640.

HOUSE DISTRICT 34 SHALL CONSIST OF: In St. Clair County: Tract 0405; Enumeration District 859; Enumeration District 860; Enumeration District 865; In Jefferson County: Tract 0111.03; Tract 0111.04; Tract 0118.02; Tract 0059.04; Block Group 1; Block Group 3; Block Group 4; Tract 0059.05; Tract 0112.03.

HOUSE DISTRICT 35 SHALL CONSIST OF: In Jefferson County: Tract 0109; Tract 0119.03; Block Group 2; Block Group 4; Block Group 5; Tract 0119.02; Tract 0119.01; Tract 0117.05; Tract 0059.06; Tract 0120.02; Block Group 1; Block Group 2; Block Group 3; Block Group 4; Block Group 6; Block Group 8; Block Group 9; Tract 0118.01.

HOUSE DISTRICT 36 SHALL CONSIST OF: In Jefferson County: Tract 0021; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Tract 0003; Block Group 2; Block Group 3; Block Group 4; Tract 0018.01; Tract 0018.02; Tract 0019.01; Tract 0019.02; Tract 0002; Tract 0001; Tract 0053.01; Tract 0053.02; Tract 0111.05; Tract 0059.03; Tract 0059.04; Block Group 2.

HOUSE DISTRICT 37 SHALL CONSIST OF: In Jefferson County: Tract 0040; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Block Group 6; Block Group 7; Block Group 8; Block Group 1; Blocks 106, 108, 109, 112, 113, 114, 115, 116, 117, 122, 123; Tract 0038.03; Tract 0052; Tract 0057.02; Tract 0057.01; Tract 0131; Block Group 1; Tract 0051.02; Block Group 9; Tract 0130.02; Block Group 1; Blocks 105, 109, 110, 111, 123, 151; Tract 0058; Block Group 9; Blocks 907, 908, 910, 911, 916; Tract 0050; Block Group 5; Block Group 4; Block Group 3; Block Group 2; Blocks 209, 211.

HOUSE DISTRICT 38 SHALL CONSIST OF: In Jefferson County: Tract 0031; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Tract 0030.01; Tract 0030.02; Tract 0029; Tract 0028.02; Tract 0039; Tract 0041; Tract 0051.01; Tract 0051.02, less Block Group 9; Tract 0042; Tract 0040; Block Group 1; Blocks 110, 111, 118, 120, 121, 104; Tract 0037; Block Group 3.

HOUSE DISTRICT 39 SHALL CONSIST OF: In Jefferson County: Tract 0106.01; Tract 0106.02; Tract 0136.01; Tract 0136.02; Tract 0133; Tract 0134; Tract 0105; Tract 0138.02; Tract 0106.03; Tract 0131; Block Group 2; Block Group 3; Block Group 4; Block Group 8; Tract 0137; Block Group 4; Blocks 405, 406; Tract 0139.01; Tract 0135.

HOUSE DISTRICT 40 SHALL CONSIST OF: In Jefferson County: Tract 0132; Tract 0038.01; Tract 0038.02; Tract 0036; Tract 0037; Tract 0034; Tract

0035; Tract 0125; Block Group 2; Block Group 4; Block Group 8; Block Group 9; Tract 0123.01.

HOUSE DISTRICT 41 SHALL CONSIST OF: In Jefferson County: Tract 0103.01; Tract 0101; Tract 0102; Tract 0103.02; Tract 0104.01; Tract 0137, all except Block Group 4, Blocks 405, 406; Tract 0138.01; Tract 0141.04; Tract 0143.01; Block Group 3; Block Group 6; Tract 0141.03; Block Group 1; Blocks 101, 102; Tract 0100.02; Block Group 2; Block 224.

HOUSE DISTRICT 42 SHALL CONSIST OF: In Walker County: Tract 0213; Enumeration District 915; Tract 0214; Enumeration District 910; Enumeration District 909U; Tract 0215; Tract 0216; Tract 0123.02; Enumeration District 115; Enumeration District 116; Enumeration District 117; Enumeration District 118; In Jefferson County: Tract 0122; Tract 0140; Tract 0100.01; Tract 0139.02; Tract 0100.02, except Block 224; Tract 0141.02, except Blocks 103, 104, 105, 106, 112, and 113.

HOUSE DISTRICT 43 SHALL CONSIST OF: In Jefferson County: Tract 0008; Tract 0055; Tract 0007; Tract 0004; Tract 0054; Tract 0006; Tract 0005; Tract 0024; Tract 0119.03; Block Group 1; Block Group 3; Tract 0003; Block Group 1.

HOUSE DISTRICT 44 SHALL CONSIST OF: In Jefferson County: Tract 0014; Tract 0015; Tract 0016; Tract 0017; Tract 0026.02; Tract 0028.01; Tract 0026.01; Tract 0027; Tract 0025; Tract 0047.03; Tract 0046; Tract 0045; Tract 0044; Tract 0047.01; Tract 0009; Block Group 1; Block Group 2; Block Group 3; Block Group 5.

HOUSE DISTRICT 45 SHALL CONSIST OF: In Jefferson County: Tract 0120.01; Tract 0124.01; Tract 0011; Tract 0012; Tract 0033; Tract 0032; Tract 0010; Tract 0031; Block Group 7; Block Group 1; Block Group 6; Tract 0120.02; Block Group 5; Tract 0124.02; Block Group 2; Block Group 4; Tract 0009; Block Group 7; Block Group 6; Block Group 8; Block Group 4.

HOUSE DISTRICT 46 SHALL CONSIST OF: Tuscaloosa County: Tract 0116; Tract 0117; Tract 0118; Tract 0119; Tract 0120; Tract 0121, Blocks: 109, 122-130, 133, 202, 204-210, and 234; Tract 0124.

HOUSE DISTRICT 47 SHALL CONSIST OF: Tuscaloosa County: Tuscaloosa City part of Windham Springs Division; Tract 0104.02; Tract 0105; Tract 0108, Block Group 1, Blocks 203 and 235, Block Group 3 except Blocks 301-311 and 340, and Block Group 9; Tract 0109; Tract 0110; Tract 0111; Tract 0112; Tract 0113; Tract 0114; Tract 0115; Tract 0121, Blocks 105-108, 110, 112-120, 211-225 and 238; Brookwood Division.

HOUSE DISTRICT 48 SHALL CONSIST OF: All of Bibb County; Tuscaloosa County; Abernant Division; Coaling-Vance Division; Tract 0108, Block Group 2 except Blocks 203 and 235, Block Group 4, Blocks 301-311, and Block 340; Tract 0121, Blocks 101-104, 226-233; Tract 0122, Tract 0123.

HOUSE DISTRICT 49 SHALL CONSIST OF: In Jefferson County: Tract 0143.02; Block Group 1; Blocks 101, 101; Tract 0130.01; Tract 0130.02; Tract 0058; Block Group 9; Blocks 905, 909, 912, 913; Tract 0107.01; Tract 0107.02; Tract 0107.03; Tract 0107.04; Tract 0107.05; Tract 0107.06; Tract 0144.01; Block Group 1; Block Group 2; Blocks 301, 345, 341, 342, 316, 344, 303; Tract 0129.01; Block Group 2.

HOUSE DISTRICT 50 SHALL CONSIST OF: In Jefferson County: Tract 0141.03; Tract 0142.03; Tract 0142.02; Tract 0142.04; Tract 0144.03; Tract 0104.02; Tract 0141.05; Tract 0143.01; Block Group 4; Tract 0144.02; Tract

0143.02; Block Group 1; Block except 101-2144; Tract 0144.01; Block Group 3; Blocks 306, 308, 309, 310, 311, 312, 313, 317, 325, 334, 335, 336, 337, 338, 339, 343, 353; Tract 0141.02; Block Group 1; Blocks 103, 104, 105, 106, 112, 113.

HOUSE DISTRICT 51 SHALL CONSIST OF: In Jefferson County: Tract 0129.04; Block Group 9; Block Group 7; Blocks 795, 794, 796, 797, 797, 793, 790, 795, 784, 788, 787, 787; In Shelby County: Tract 0303.01, except Enumeration District 9; Tract 0303.02; Tract 0304.01; Tract 0304.02; Enumeration District 21; Tract 0306.01; Tract 0306.01; Tract 0306.02, except Enumeration District 14; Block 101-102, 127-129, 130-139, 140, 141.

HOUSE DISTRICT 52 SHALL CONSIST OF: In Jefferson County: Tract 0110; Blocks 104, 105, 106, 108, 109, 114, 115, 116, 117 and 118 of Block Group 1 in Tract 0127.02; Tract 0111.05; Blocks 315, 337, 338, 339, 340, 341 and 342; In Shelby County: Tract 0301; Tract 0302; Tract 0305; Tract 0306.02, Enumeration District 14 only; Tract 0307.01; Tract 0307.02; Tract 0308; In Talladega County: In Sylacauga Division: Enumeration District 699A.

HOUSE DISTRICT 53 SHALL CONSIST OF: All of Chilton County; In Shelby County: Enumeration District 15; Enumeration District 16; Enumeration District 17; Enumeration District 18; Enumeration District 20.

HOUSE DISTRICT 54 SHALL CONSIST OF: Coosa County (all); In Talladega County: All Sylacauga Division except: Enumeration District 699A; Sycamore-Winterboro Division.

HOUSE DISTRICT 55 SHALL CONSIST OF: In Talladega County: Childersburg Division; Renfro-Lanier Division; Talladega Division; In Lincoln-Eastaboga Division: Enumeration District 656A.

HOUSE DISTRICT 56 SHALL CONSIST OF: In St. Clair County: All of St. Clair County except: In the Springville Division, Town of Springville, Enumeration District 859; Enumeration District 860 and in the Remainder of Springville Division, Enumeration District 865.

HOUSE DISTRICT 57 SHALL CONSIST OF: In Calhoun County: All of Census Tract 19, 20, 21, 22, 23, 24, and that part of Census Tract 25 not included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 58 SHALL CONSIST OF: In Calhoun County: Census Place 1325 and 0200 of the Anniston Division; and In the remainder of the Anniston Division (Census Place 9999) Tract 1p, 4p, 5p, 6p, 11p, 12p; and All of Census Tracts 13, 14, 15, 16, 17, and only that part of Census Tract 25 included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 59 SHALL CONSIST OF: In Calhoun County: All of Census Tract 18 and that part of the Anniston Division included in the City of Anniston (Census Place 0060) and that part of the Anniston Division included in the City of Hobson (Census Place 0895) and in the remainder of the Anniston Division (Census Place 9999) all of Census Tract 0010p.

HOUSE DISTRICT 60 SHALL CONSIST OF: Clay County: Cleburne County: Munford Division of Talladega County; All of Lincoln-Eastaboga Division of Talladega County, except Enumeration District 656A; Calhoun County; Ohatchie Division.

HOUSE DISTRICT 61 SHALL CONSIST OF: All of Randolph County; In Chambers County: All of the Five Points Division; All of the Milltown Division; All of the Lanett Division; Only E. D. 108 of the LaFayette Division.

HOUSE DISTRICT 62 SHALL CONSIST OF: All of Tallapoosa County not included in E. D. 185 and E. D. 187 of the Camp Hill Division.

HOUSE DISTRICT 63 SHALL CONSIST OF: In Chambers County: In Remainder of LaFayette Division: Enumeration District 107; The Waverly Division; In Tallapoosa County: In Camp Hill Division: Enumeration District 185; Enumeration District 187; In Lee County: All of the City of Auburn, except Tract 0405p of the Auburn-Opelika Division; In remainder of Auburn-Opelika Division: Tract 0406p; Tract 0409p; Tract 0411p; Tract 0412p of Enumeration District 529; All of Loachapoka-Roxana Division except Tract 0410, Block 215.

HOUSE DISTRICT 64 SHALL CONSIST OF: In Chambers County: All LaFayette City in LaFayette Division; Enumeration District 109 of LaFayette Division; All Langdale Division; In Lee County: In Auburn-Opelika Division; Block Groups 1, 2, 3(p) of Tract 0411(p) in City of Opelika; Tract 0412(p) of City of Opelika; All of Tract 0413, except Blocks 406 through 420 of Block Group 4; Blocks 101, 102, 103, 113, 114, 115, 123 and 124 in Block Group 1 of Tract 0414; All of Tract 0415; All of Tract 0416; In Tract 0417(p): Block Group 1p, 2p and Blocks 315, 316, 317, 324 and 325 of Block Group 3; In Remainder of Auburn-Opelika Division in Tract 0412: Blocks 101 through 109 of Block Group 1; In Tract 417; All of Block Group 1; All of Block Group 2; In the Beulah Division; Enumeration District 526; Enumeration District 527; Enumeration District 528.

HOUSE DISTRICT 65 SHALL CONSIST OF: All of Russell County except Phenix City; In Lee County: In Auburn-Opelika Division: Auburn City: Tract 0405(p); Opelika City: Tract 0405(p); Block Group 4 of Tract 0411p; Blocks 406 through 420 of Tract 0413; All of Tract 0414 except Blocks 101, 102, 103, 113, 114, 115, 123 and 124; In Tract 0417(p): Block Group 3, except Blocks 315, 316, 317, 324p and 325p; In Remainder of Auburn-Opelika Division: Tract 0404p; Tract 0405p; Tract 0417p; All of Block Group 3; All of Beauregard-Marvin Division; Enumeration District 525 of the Beulah Division; All of Smiths-Salem Division; In Loachapoka-Roxana Division; Tract 0410; Block 215.

HOUSE DISTRICT 66 SHALL CONSIST OF: In Russell County: All of Phenix City Division.

HOUSE DISTRICT 67 SHALL CONSIST OF: All of Bullock County; All of Macon County.

HOUSE DISTRICT 68 SHALL CONSIST OF: Pike County; In Barbour County: Louisville Division; Clayton Division; Eufaula Division, remainder Enumeration District 325; Enumeration District 326A; Enumeration District 327A.

HOUSE DISTRICT 69 SHALL CONSIST OF: In Barbour County: Clio Division; In Henry County: Abbeville Division; In Dale County: Ozark Division; Echo Division, Enumeration District 650; Fort Rucker Division, remainder Enumeration District 669; Enumeration District 668.

HOUSE DISTRICT 70 SHALL CONSIST OF: In Barbour County: All of Eufaula Division, except Enumeration District 325, Enumeration District

326A, Enumeration District 327 in remainder of Eufaula Division; All of Bakerhill Division; In Henry County: All of Shorterville Division; All of Haleburg Division; All of Headland-Newville Division; In Houston County: Tract 0416; Tract 0417; Tract 0419; Enumeration District 764 in remainder of Gordon Division; Tract 0418p in Gordon Division (Town of Gordon).

HOUSE DISTRICT 71 SHALL CONSIST OF: In Houston County; Tract 0402; Tract 0404; Tract 0414p; Block Group 3; Block Group 4; Tract 0405; Tract 0406; Tract 0407; Tract 0408; Tract 0410; Tract 0411; Tract 0412; Tract 0413.

HOUSE DISTRICT 72 SHALL CONSIST OF: In Dale County: Daleville Division; Newton-Midland City Division; Enumeration District 669; Enumeration District 666 of Fort Rucker Division; Enumeration District 651 and Enumeration District 652 of the Echo Division; Enumeration District 664 of remainder of Newton-Midland City Division; In Houston County: Tract 0401; Tract 0403; Tract 0414, all except Block Group 3 and Block Group 4; Tract 0415.

HOUSE DISTRICT 73 SHALL CONSIST OF: In Coffee County: Enumeration District 264; Enumeration District 267; Geneva County; In Houston County: Madrid Division; Cottonwood Division; In Remainder of Gordon Division: Enumeration District 765; Dothan Division; Tract 0409.

HOUSE DISTRICT 74 SHALL CONSIST OF: All of Coffee County except: Enumeration District 264; Enumeration District 267.

HOUSE DISTRICT 75 SHALL CONSIST OF: All of Covington County.

HOUSE DISTRICT 76 SHALL CONSIST OF: In Elmore County: The Tallassee Division; The Eclectic Division; The Wetumpka Division; The Titus Division; The Elmore Division, except Block Group 1 of Tract 0104p in the Prattville City part and the remainder of Elmore Division Tract 0104p Block Group 1.

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0001; Tract 0002; Tract 0003; Tract 0004, Blocks 114, 201, 202, Block Group 3, 4, 5, 6, 7, 8; Tract 0006; Tract 0007, Block Group 5, 6, 7; Tract 0012; Tract 0015, Blocks 318, 319, 320, 321, 501, 502, 503, 504, 505, 506, 507, 531, 532, 725; Block Group 4; Tract 0051.01, Blocks 913p 928, 929, 932p, 935, 936, 940, 941, 951, 955, 958, 960, 961p, 963p, 964, 965, 966, 968p, 969p, 971, 973p, 989, 801, 802p, 904, 910, 911, 912, 913p, 927, 932p, 942, 959, 961p, 962p, 963p, 968, 969p, 973p; Tract 0051.02; Tract 0011, Block Group 1, 5, 7, 8; Blocks 201, 203, 204, 205, 209, 210, 211, 212, 215, 222, 225, 604, 605, 615, 625, 626, 628, 629, 632, 634; Tract 0013, Blocks 401, 408, 409, 410, 411, 407, 406.

HOUSE DISTRICT 78 SHALL CONSIST OF: In Montgomery County: Ramer Division; Pike Road Division; Pine Level Division; Mt. Meigs Division; Montgomery Division; Tract 0029; Tract 0032; Tract 0051.01, Blocks 945, 943, 962p, 949; Tract 0054.01; Tract 0054.02; Tract 0054.03; Tract 0054.04; Tract 0054.05; Tract 0056.03, except Blocks 902, 903, 904, 945, 946, 947, 949, 950, 951, 952, 953, 954, 955 and 956; In Remainder of Montgomery Division; Tract 0056.03p.

HOUSE DISTRICT 79 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0004, Blocks 106, 103, 105, 113, 117, 109, 118, 102, 101, 209, 210, 208, 211, 207, 205, 206, 115, 112, 111, 212, 213, 204; Tract 0025; Tract 0051.03; Tract 0016; Tract 0017; Tract 0027; Tract 0026; Tract 0005; Tract 0019; Tract 0018; Tract 0053.01; Tract 0053.02.

HOUSE DISTRICT 80 SHALL CONSIST OF: In Montgomery County: Tract 0011; Blocks 216, 217, 218, 219, 220, 224, 601; Block Group 3, 4; Tract 0010; Tract 0013; Blocks 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315; Tract 0022; Blocks 409, 410, 411, 606, 607, 608, 701, 702, 703, 704, 705, 706, 707, 708; Block Group 5, 8; Tract 0023; Block Group 1, 2, 3, 5; Blocks 401, 402, 403, 404, 405, 406, 407, 409, 410, 411, 412, 415, 416, 418; Tract 0024; Tract 0059.02; Tract 0060.01; Blocks 903, 902, 988, 989; Tract 0060.02; Tract 0030.

HOUSE DISTRICT 81 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0007; Block Group 1, 2, 3, 4; Tract 0013; Block Group 1, 2; Blocks 301, 308, 309, 402, 403, 405, 415; Tract 0015; Blocks 106, 107, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 510, 516, 517, 518, 519, 530; Block Group 2; Tract 0020; Tract 0021; Tract 0022; Block Group 1, 2; Blocks 301, 302, 303, 304, 601, 602, 603, 604, 605, 709, 710; Tract 0028; Tract 0033; Tract 0056.03; Tract 0014; Tract 0056.03, Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956.

HOUSE DISTRICT 82 SHALL CONSIST OF: In Autauga County: Autaugaville Division; Prattville Division; Marbury Division, Enumeration District 775; In Lowndes County: Lowndesboro Division; Benton Collerine Division; In Elmore County: Deatsville Division; Elmore Division; Block Group 1 of Tract 0104p in the Prattville City part; The Remainder of Elmore Division Tract 0104p Block Group 1.

HOUSE DISTRICT 83 SHALL CONSIST OF: Wilcox County; Pineapple Division; Camden Division; Alberta Division; Lowndes County: Braggs Division; Ft. Deposit Division; Hayneville Division; Montgomery County: Montgomery Division; Tract 0009; Tract 0060.01; Less Blocks 903, 902, 988, 989; Hope Hull Division; Tract 0059.01; Montgomery Division; Tract 0023; Blocks 414, 413; Tract 0022; Blocks 407, 406, 405, 310, 309, 308, 307, 306, 311, 403, 404, 401, 422, 903, 408, 305; Tract 0031.

HOUSE DISTRICT 84 SHALL CONSIST OF: Butler County; Crenshaw County.

HOUSE DISTRICT 85 SHALL CONSIST OF: In Dallas County: City of Selma minus BNA-9901, Block G-1; Enumeration District 55; Enumeration District 56-B; Enumeration District 56-V; Enumeration District 51; Enumeration District 50; In Autauga County: Enumeration District 775; Enumeration District 776; Enumeration District 777; Enumeration District 778; Enumeration District 779.

HOUSE DISTRICT 86 SHALL CONSIST OF: All of Perry County; In Dallas County: Enumeration District 52-U; Enumeration District 69; Enumeration District 59; Enumeration District 53; Enumeration District M-62; Enumeration District 61; Enumeration District 67; Enumeration District 66; Enumeration District 68; Enumeration District 52-T; Enumeration District 54; Enumeration District 58; Enumeration District 57; Enumeration District 65; Enumeration District 63; Enumeration District 56-A; Town of Orrville; In City of Selma, BNA-9901, Block G-1.

HOUSE DISTRICT 87 SHALL CONSIST OF: All of Marengo County; In Hale County: River Bend Division; Prairie Eden-Newbern Division; Greensboro Division; Mt. Herman Valley Division; Moundville Division.

HOUSE DISTRICT 88 SHALL CONSIST OF: All of Green County; Pickens County: Aliceville Division; Carrollton Division; Ethelsville Divi-

sion; Raleigh Division; Hale County: Sawyerville Division; Stewart-Akron Division; Tuscaloosa County: Fosters Division; Big Sandy-Duncanville Division; Tract 0125 (all).

HOUSE DISTRICT 89 SHALL CONSIST OF: Tuscaloosa County: Coker Division; Elrod-Moore's Bridge Division; Samantha Division; Windham Springs Division less Tuscaloosa City part; Tract 0104.01; Tuscaloosa Division part of Tract 0102; Pickens County: Gordo Division; Reform Division.

HOUSE DISTRICT 90 SHALL CONSIST OF: All of Sumter County; All of Choctaw County; Washington County: Millry Division; In Remainder of Chatom Division, Enumeration District 129.

HOUSE DISTRICT 91 SHALL CONSIST OF: Escambia County.

HOUSE DISTRICT 92 SHALL CONSIST OF: Clarke County; In Monroe County: Vredenburg Division; Monroeville Division, Enumeration District 109T; Monroeville Division, Enumeration District 110; Uriah Division; In Baldwin County: Stockton Division.

HOUSE DISTRICT 93 SHALL CONSIST OF: Conecuh County; In Monroe County: Beatrice Division; Frisco City Division; Peterman Division; Monroeville Division, Enumeration District 109U; Enumeration District 106, Enumeration District 107, Enumeration District 108U, Enumeration District 108T; In Wilcox County: Coy-Fatama Division; Pinehill Division.

HOUSE DISTRICT 94 SHALL CONSIST OF: In Baldwin County: Foley Division; Fairhope Division; Elberta Division; Summerdale Division; Robertsdale Division, Enumeration District 406, Enumeration District 407T, Enumeration District 407U; In Daphne Division: Block 254; Block 248; Block 238.

HOUSE DISTRICT 95 SHALL CONSIST OF: In Baldwin County: Bay Minette Division; Daphne Division, except Blocks 254, 248 and 238; Loxley Division; Silverhill Division; Robertsdale Division, Enumeration District 404T; Enumeration District 404U, Enumeration District 408, Enumeration District 439; Enumeration District 410.

HOUSE DISTRICT 96 SHALL CONSIST OF: In Washington County: Enumeration District 127; Enumeration District 128; Enumeration District 130; Enumeration District 131; Enumeration District 132; Enumeration District 133; Enumeration District 134; Enumeration District 135; Enumeration District 136; In Mobile County: Remainder Mobile Division of Tract 0034.03; In Citronelle Division: In Tract 0059: Enumeration District 532; Enumeration District 533A; Enumeration District 533B; Tract 0060; Remainder Mobile Division, In Tract 0061p: Blocks 801, 803, 804, 805, 807, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818; Blocks 819, 820, 823, 808; Enumeration District 571; Remainder Mobile Division of Tract 0034.03: (Partial) Block Group 4; Block 510p; In Semmes Division: In Tract 0062: Enumeration District 535; Enumeration District 536; Enumeration District 534; Tract 0063; In Tanner-Williams Division of Tract 0064: Block Group 1; Block Group 2; Blocks 301-307; Block 319, 320, 322, 323; Block Group 4; Block 901, 906; Blocks 801-819; Block 821, 822, 823, 843, 846, 849.

HOUSE DISTRICT 97 SHALL CONSIST OF: In Mobile County: Mobile Division: Tract 0038.02p; Tract 0038.99; Tract 0054p; Tract 0056p; Tract 0057p, except Blocks 936-946, and 988p and Enumeration District 540; Creola Town: Tract 0038.02p; Tract 0057p; Chickasaw City: Tract 0038.02p; Tract 0050p; Tract 0051; Tract 0052; Tract 0053p; Tract 0054p; Prichard

City: Tract 0050p; Saraland City: Tract 0054p; Tract 0055; Tract 0056p; Tract 0057p, (Block 924, 923, 988p, 922); Satsuma City: Tract 0056p; Tract 0057p; Mt. Vernon Division: Tract 0056; Enumeration District 525-529; Saraland City: Tract 0061p; Prichard City: Tract 0061p; Blocks 203, 204, 225, 226, 227p; 901p and 902; Remainder of Mobile Division: Tract 0061p. Blocks 227p, 802, 806, 821, 824, 825, 826, 827, 829, 901p, 905, 906, 912, 913p, 918, 919p, 924, 972, 970, 964p, 833, 979, 980, 834, 832, 830, 831, 981, 982, 976 and 958.

HOUSE DISTRICT 98 SHALL CONSIST OF: In Mobile County: Tract 0026 (Partial); (Blocks 101, 102, 115, 604 and 605); Mobile Division: Tract 0034.02p (Block 127p only); Prichard City: Tract 0034.02p; Mobile City: Tract 0039.01p; Prichard City: Tract 0039.01p; Mobile City: Tract 0039.02p; Prichard City: Tract 0039.02p; Prichard City: Tract 0040; Tract 0041; Tract 0042 (Partial); Block Group 1; Blocks 201-203; Blocks 210-219; Block Group 3; Mobile City: Tract 0045p; Prichard City: Tract 0045p; Tract 0046 (Partial); Block Group 1; Block Group 2; Tract 0047; Tract 0048; In Mobile City: Tract 0049p; In Prichard City: Tract 0049p; Tract 0061p (Partial); Blocks 205-224; Block Group 3; Block Group 4; Blocks 944p-975; Remainder of Mobile Division: Tract 0061p; Block 944p.

HOUSE DISTRICT 99 SHALL CONSIST OF: In Mobile County: Tract 0005 (Partial) (All except Block Group 3); Tract 0006; Tract 0007.01; Tract 0007.02; Tract 0008; In Mobile Division: Mobile City: Tract 0012.01p; Prichard City: Tract 0012.01p; Mobile City: Tract 0026 (All except Blocks 101, 102, 115, 604 and 605); Tract 0038.01; Prichard City: Tract 0042 (Partial); Blocks 204-209; Mobile City: Tract 0043p; Tract 0044p; Tract 0045p (Blocks 113p, 128p, 129p); Prichard City: Tract 0043p; Tract 0044p; Tract 0046 (Partial) (Block Group 3 only).

HOUSE DISTRICT 100 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0034.03; Tract 0034.04; Tract 0034.05 (Partial) (All except Block 133); Tract 0036.01; Tract 0036.02; Tract 0036.03; Tract 0037.01; In Tanner-Williams Division (Partial): Tract 0064; Blocks 308-318; Blocks 831-842, 844, 845; Block Group 9; Enumeration District 543; Enumeration District 542T; Enumeration District 542U; Blocks 847, 848, 850-856; Remainder of Mobile Division: Tract 0057p; Blocks 936-946; Block 988p; Enumeration District 540; In Remainder Mobile Division: Tract 0034.03; Block Group 9; Blocks 501-504.

HOUSE DISTRICT 101 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0031 (Partial); Block Group 1; Block Group 3; Tract 0032.01; Tract 0032.02; Tract 0032.03 (Partial); Tract 0033.01; Tract 0033.02; Tract 0034.01; Tract 0034.02 (Mobile City only); Tract 0034.05 (Block 133 only); Tract 0034.06; Tract 0035.01; Tract 0035.02; Tract 0061p; Block 212p; Block 977p; Block 978p; In Remainder of Mobile Division: Tract 0061p; Block 212p; Block 213; Block 977p; Block 978p.

HOUSE DISTRICT 102 SHALL CONSIST OF: In Mobile County: Tract 0009.01; Tract 0009.02; Tract 0009.03; Tract 0014 (Blocks 502-505); Tract 0021 (Partial) (Blocks 102-109); Tract 0022 (Partial); Block Group 1; Block Group 2; Block Group 3; Block Group 4; Tract 0023.01; Tract 0023.02; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0027; Tract 0028; Tract 0029; Tract 0031 (Partial) (Block 101 only).

HOUSE DISTRICT 103 SHALL CONSIST OF: In Mobile County: Tract 0001; Tract 0002; Tract 0003; Tract 0004.01; Tract 0004.02; Tract 0005 (Block Group 3 only); Tract 0010.01; Tract 0010.02; Tract 0011; Tract 0012.02; Tract 0012.99; Tract 0013.01; Tract 0013.02; Tract 0014 (Minus

Blocks 502-505); Tract 0015.01; Tract 0015.02; Tract 0016; Tract 0017; Tract 0018 (Partial); Blocks 101, 102, 104, 112, 113, 122, 123; Tract 0019.01 (Block 101 only); Tract 0019.02 (Partial); Blocks 101-115; Block 120; Block 121; Blocks 302-313; In Mobile Division: In Mobile City: Tract 0038.02p (Block 925p only); Tract 0038.99; Tract 0045p (Partial); Blocks 101p, 124p, 125p; Tract 0053p; Tract 0054p; Tract 0056p.

HOUSE DISTRICT 104 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0018 (Partial); Blocks 105-111, 114-121 and 124; Block Group 2; Tract 0019.01 (Partial) (All except Block 101); Tract 0019.02 (Partial); Blocks 116, 117; Block Group 2; Blocks 314 and 315; Tract 0020; Tract 0021 (Partial): Blocks 112-118; Block Group 2; Block Group 3; Block Group 4; Tract 0030; Tract 0031 (Partial); Block Group 2; Tract 0037.02; Tract 0068p (Partial); Block Group 230p; In Mobile Division (Partial): Tract 0068; Block Group 1; Block Group 2; Block Group 3; In Mobile County: In Theodore Division: Tract 0069 (Partial); Blocks 125, 126, 151, 152; Tract 0070 (Partial); Block Group 1, except Blocks 137-140; Block Group 9; Tract 0071 (Partial): Enumeration District 557; Enumeration District 558; Enumeration District 559.

HOUSE DISTRICT 105 SHALL CONSIST OF: In Mobile County: In Grand Bay Division: Tract 0065; Tract 0066; Tract 0067; In Theodore Division (Partial): Tract 0069 (Partial); Block Group 1, Minus Blocks 125, 126, 151, 152; Block Group 3; Block Group 2; Tract 0070 (Partial): Blocks 137-140; Tract 0071 (Partial): Block Group 1; In Bayou la Batre Division: Tract 0072.01; Tract 0072.02; Tract 0072.99; Tract 0073.

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each Senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the purpose of electing members of the House of representatives of the Alabama Legislature as follows:

- District 1 House District Nos. 1, 2 and 3;
- District 2 House District Nos. 4, 5 and 6;
- District 3 House District Nos. 7, 8 and 9;
- District 4 House District Nos. 10, 11 and 12;
- District 5 House District Nos. 13, 14 and 15;
- District 6 House District Nos. 16, 17 and 18;
- District 7 House District Nos. 19, 20 and 21;
- District 8 House District Nos. 22, 23 and 24;
- District 9 House District Nos. 25, 26 and 27;
- District 10 House District Nos. 28, 29 and 30;
- District 11 House District Nos. 31, 32 and 33;
- District 12 House District Nos. 34, 35 and 36;
- District 13 House District Nos. 37, 38 and 39;
- District 14 House District Nos. 40, 41 and 42;

District 15 House District Nos. 43, 44 and 45;
District 16 House District Nos. 46, 47 and 48;
District 17 House District Nos. 49, 50 and 51;
District 18 House District Nos. 52, 53 and 54;
District 19 House District Nos. 55, 56 and 57;
District 20 House District Nos. 58, 59 and 60;
District 21 House District Nos. 61, 62 and 63;
District 22 House District Nos. 64, 65 and 66;
District 23 House District Nos. 67, 68 and 69;
District 24 House District Nos. 70, 71 and 72;
District 25 House District Nos. 73, 74 and 75;
District 26 House District Nos. 76, 77 and 78;
District 27 House District Nos. 79, 80 and 81;
District 28 House District Nos. 82, 83 and 84;
District 29 House District Nos. 85, 86 and 87;
District 30 House District Nos. 88, 89 and 90;
District 31 House District Nos. 91, 92 and 93;
District 32 House District Nos. 94, 95 and 96;
District 33 House District Nos. 97, 98 and 99;
District 34 House District Nos. 100, 101 and 102;
District 35 House District Nos. 103, 104 and 105.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, as reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE TABLED

On motion of Rep. Manley, the substitute No.1 offered by Rep. Harrison to the bill, S. 1, was tabled.

Yeas 65; Nays 10.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Bennett, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Hines,

Howard, Johnson (R. G.), Kelley, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Patton, Pegues, Penry, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—65

Nays:

Reps. Buskey, Clark (W), Escott, Harrison, Horn, Jackson, Kennedy, Langford, Reed and Tucker.

—10

SUBSTITUTE OFFERED

Rep. Harrison offered the following substitute No. 2 to the bill, S. 1:

A BILL TO BE ENTITLED AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF: In Lauderdale County: In Tract 0101: Block Group 1; Block Group 2; Block Group 3; Block Group 4; Block Group 5; All of Tract 0107; Tract 0108; Tract 0115; Tract 0116; Tract 0117; Tract 0118.

HOUSE DISTRICT 2 SHALL CONSIST OF: In Lauderdale County: In Tract 0101: Block Group 6; Block Group 7; All of Tract 0102; Tract 0103; Tract 0104; Tract 0105; Tract 0106; Tract 0109; Tract 0110; Tract 0111; In Tract 0112: Block 103; Block Group 2; Blocks 401, 402 and 403; All of Tract 0113; Tract 0114.

HOUSE DISTRICT 3 SHALL CONSIST OF: In Colbert County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0209; Tract 0210; Tract 0207, Block 101 only; In Lauderdale County: Tract 0112; Block 101; Block 102; Block 149; Block 150; Block Group 3 (all); Block 405; Block 406; Block Group 5; Block Group 6; Block Group 7; Block Group 9; Enumeration District 444T; Enumeration District 444U; Enumeration District 445.

HOUSE DISTRICT 4 SHALL CONSIST OF: In Colbert County: Leighton Division (All); Tract 207 except Block 101 (land only); In Franklin County: Russellville Division (All); In Phil-Campbell Division (Remainder); Enumeration District 0070U; Enumeration District 0071.

HOUSE DISTRICT 5 SHALL CONSIST OF: In Franklin County: Red Bay Division (All); Vina Division (All); Phil-Campbell Division; Enumeration District 0068; Enumeration District 0069; Enumeration District 0070T; In Marion County: All except Guin Division; In Fayette County: Enumeration District 453 of the Russell Division.

HOUSE DISTRICT 6 SHALL CONSIST OF: Lamar County (All); Fayette County except Enumeration District 453 of the Russell Division; In Marion County: Guin Division.

HOUSE DISTRICT 7 SHALL CONSIST OF: Lawrence County: In Morgan County: Danville Division; Decatur Division; Tract 0051: Block Group 4; Tract 0051: Block Group 5; Tract 0051: Block Group 3; Tract 0051: Block Group 6, except for Blocks 601 through 609p and except for Blocks 623 and 627.

HOUSE DISTRICT 8 SHALL CONSIST OF: In Morgan County: Decatur Division; Tract 0001; except for Block Groups 5 and 6; Tract 0004; Tract 0005; Tract 0006; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0051: Block Group 1; Block Group 2; Blocks 601 through 609p and Blocks 623 and 627; Block Group 7; Block Group 8; Block Group 9.

HOUSE DISTRICT 9 SHALL CONSIST OF: In Morgan County: Tract 0001; Block Group 5; Block Group 6; Tract 0002; Tract 0003; Tract 0053; Tract 0054.02; Lacey Springs Division.

HOUSE DISTRICT 10 SHALL CONSIST OF: In Morgan County: Eva Division; Falkville Division. In Cullman County: Vinemont Division; Simcoe Division; Baileyton-Joppa Division; Holly Pond Division; Welts Division; Hanceville Division.

HOUSE DISTRICT 11 SHALL CONSIST OF: In Cullman County: Cullman Division; Breman Division; Jones Chapel Division; Crane Hill Division; Logan Division; In Winston County: Addison Division (p): Enumeration District 604T; Enumeration District 605A; Enumeration District 605U; In Double Springs Division: Enumeration District 606; Enumeration District 607; Enumeration District 608; Enumeration District 610B; Enumeration District 610A.

HOUSE DISTRICT 12 SHALL CONSIST OF: In Winston County: In Addison Division (p): Enumeration District 600; Enumeration District 601; Enumeration District 605B; Enumeration District 602; Enumeration District 603; Enumeration District 604U; In Double Springs Division: Enumeration District 609T; Enumeration District 609U; Haleyville Division (all); Lynn Division (all); In Walker County: Carbon Hill Division; Nauvoo Division; Manchester Division; Townley Division; In Oakman Division (p): Enumeration District 912; In Jasper Division (p): Enumeration District 882; Enumeration District 883; Enumeration District 879A; Enumeration District 880; Enumeration District 881; Enumeration District 886; Enumeration District 887; In Remainder of Jasper Division: Enumeration District 884; Enumeration District 885A.

HOUSE DISTRICT 13 SHALL CONSIST OF: All of Walker County except that part included in House District 49 and House District 12.

HOUSE DISTRICT 14 SHALL CONSIST OF: In Jefferson County: Tract 0115; Enumeration District 127; Enumeration District 104; Enumeration District 128T; Enumeration District 128U; Tract 0114; Tract 0113; Tract 0117.04; Tract 0117.06; Tract 0112.06; Tract 0112.05; Tract 0111.03; Blocks 109, 110, 111, 168, Less Tract 0117.04; Blocks 104, 105, 106, 108, 109, 112, and 111; In Blount County: Tract 0506; Tract 0505.

HOUSE DISTRICT 15 SHALL CONSIST OF: In Jefferson County: Tract 0112.04; Block Group 2; Block Group 3; Blocks 945, 946, 919, 920 and 947; Tract 0112.03; Tract 0111.03 except Blocks 109, 110, 111, and 168; Tract 0118.02; Tract 0111.04; Tract 0111.05 except

Block Group 9 and Blocks 315, and 337-342; In St. Clair County: Tract 0405; Enumeration District 859; Enumeration District 860; Enumeration District 865.

HOUSE DISTRICT 16 SHALL CONSIST OF: In Limestone County: Tract 0201; Tract 0202; Tract 0203; Tract 0204; Tract 0205; Tract 0206; Tract 0207; Tract 0209; Tract 0210; Tract 0211p, Enumeration District 692.

HOUSE DISTRICT 17 SHALL CONSIST OF: In Limestone County: Tract 0208; Tract 0212; Tract 0211 except for Enumeration District 692; In Madison County: Tract 0104; Tract 0105; Tract 0106; Tract 0110; In the Huntsville Division of Madison County: Tract 0014; Tract 0022 except for Blocks 101 through 107; Tract 0023, Blocks 409 through 426; Tract 0013, Blocks 201 through 211; Tract 0105p.

HOUSE DISTRICT 18 SHALL CONSIST OF: In Madison County: Tract 0111; Tract 0112; In Huntsville Division: Tract 0023; Blocks 301-320; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0028.01; Tract 0027.01; Tract 0029.01; Tract 0028.02; Tract 0029.02; Tract 0026, Block Group 3; Tract 0113p; In New Hope Division: Tract 0113p, Block Group 1.

HOUSE DISTRICT 19 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0021; Tract 0012; Tract 0015; Tract 0006.01; Tract 0006.02; Tract 0005.03; Tract 0005.02; Tract 0005.01; Tract 0004.01; Tract 0023; Block Group 1; Block Group 2; Blocks 321-322; Blocks 401-408; Tract 0007.02; Blocks 105-122; Tract 0022; Blocks 101-107; Tract 0013, except for Blocks 201-211.

HOUSE DISTRICT 20 SHALL CONSIST OF: In Madison County: Tract 0107, except for Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population. In Huntsville Division: Tract 0004.02; Tract 0003.02; Tract 0003.01; Tract 0002.02; Tract 0007.01; Tract 0007.02; Blocks 101-104; Tract 0008; Tract 0002.01; Tract 0009.01; Tract 0108p; Block Group 9.

HOUSE DISTRICT 21 SHALL CONSIST OF: In Madison County: In Huntsville Division: Tract 0001; Tract 0010; Tract 0011; Tract 0016; Tract 0017; Tract 0018.01; Tract 0018.02; Tract 0019.01; Tract 0019.02; Tract 0019.03; Tract 0020; Tract 0027.02; Tract 0026; Block Groups 1 and 2; Tract 0109p (in Huntsville Division); Tract 0009.02.

HOUSE DISTRICT 22 SHALL CONSIST OF: In Madison County: Tract 0113, less New Hope Division, Huntsville City (pt.) and less New Hope Division Tract 0113p, Block Group 1; Tract 0114; Tract 0109; Tract 0108, less 0108p, Block Group 9; Tract 0102; Tract 0101; Tract 0103, and Madison County Commission Shed No. 1, located at the intersection of Mooresmill Road and Shed Road, and containing zero population; In Jackson County: The Paint Rock Division; The Princeton Division; The Scottsboro Division - BNA 9902, Enumeration District 197; Enumeration District 198.

HOUSE DISTRICT 23 SHALL CONSIST OF: In DeKalb County: The Ider Division (pt.), Enumeration District 0401; In Jackson County: BNA 9901 of the Scottsboro Division; The Stevenson Division; The Bridgeport Division; The Long Island Division; The Pisgah Division; The Section Division; Enumeration District 196 of the Scottsboro Division.

HOUSE DISTRICT 24 SHALL CONSIST OF: In DeKalb County: The Ft. Payne Division; The Valley Head-Mentone Division; The Ider Division (pt.), less E. D. 0401; The Heneger Division; The Rainesville-Sylvania Division; The Fyffe Division.

HOUSE DISTRICT 25 SHALL CONSIST OF: In Marshall County: Town Creek Division; Albertville-Boaz Division, except Enumeration District 817 and Enumeration District 821; In DeKalb County: Collinsville Division; Crossville Division; Geraldine Division.

HOUSE DISTRICT 26 SHALL CONSIST OF: In Marshall County: Grant Division; Union-Grove Division; Arab Division; Guntersville Division; Douglass Division.

HOUSE DISTRICT 27 SHALL CONSIST OF: In Marshall County: Albertville-Boaz Division (p); Enumeration District 817; Enumeration District 821; In Etowah County: Mountainboro Division, except Enumeration District 514A; Altoona Division; In Blount County: All except Haden Division; Blountsville Division, except: Enumeration District 781; Enumeration District 783; Enumeration District 784.

HOUSE DISTRICT 28 SHALL CONSIST OF: In Etowah County: Tract 0006; Tract 0011; Tract 0013; Tract 0014; Tract 0015; Tract 0016; Tract 0017; Tract 0101; Tract 0102; Tract 0104; Tract 0103(p); Enumeration District 527; Enumeration District 528; Block Group 1; Block Group 2.

HOUSE DISTRICT 29 SHALL CONSIST OF: In Etowah County: Tract 0001; Tract 0002; Tract 0003; Tract 0004; Tract 0005; Tract 0007; Tract 0008; Tract 0009; Tract 0010; Tract 0012; Tract 0108; Tract 0109; Tract 0103(p); Block Group 9; Enumeration District 525; Enumeration District 526; Tract 0107(p); Block Group 1; Block Group 2; Block Group 6; Tract 0110(p); Mountainboro Division: Enumeration District 514A.

HOUSE DISTRICT 30 SHALL CONSIST OF: In Cherokee County (All); In Etowah County: Tract 0105; Tract 0106; Tract 0107p; Enumeration District 501; Enumeration District 500.

HOUSE DISTRICT 31 SHALL CONSIST OF: In Jefferson County: Tract 0023.05; Tract 0023.06; Tract 0126.02; Tract 0056; Tract 0108.03; Tract 0127.01; Tract 0108.05; Tract 0108.04; Tract 0127.02 except Blocks 114-118; Tract 0128.02; Tract 111.05 - Block Group 9.

HOUSE DISTRICT 32 SHALL CONSIST OF: In Jefferson County: Tract 0058; Tract 0107.01; Tract 0107.05; Tract 0107.04; Tract 0107.03; Tract 0107.06; Tract 0048; Tract 0108.01; Tract 0108.02; Tract 0107.02; Tract 0143.02 - Except Block Group 3; Tract 0103.01; Block Group 6; Block Group 7.

HOUSE DISTRICT 33 SHALL CONSIST OF: In Jefferson County: Tract 0059.05; Tract 0059.04; Tract 0118.01; Block Group 5; Tract 0059.03; Tract 0053.02; Tract 0001; Tract 0021; Tract 002Q; Tract 0022; Block Group 3; Block Group 4; Tract 0126.01.

HOUSE DISTRICT 34 SHALL CONSIST OF: In Jefferson County: Tract 0117.03 except Blocks 101 through 107; Tract 0117.05; Tract 0120.02; Tract 0109; Block Group 7; Block Group 5; Tract 0119.01; Tract 0117.04; Blocks 104, 105, 106, 108, 109, 112, and 111; Tract 0059.06; Tract 0112.04; Block Group 1; Block Group 9; Tract 0118.01; Block Group 1; Block Group 6; Block Group 7; Block Group 8.

HOUSE DISTRICT 35 SHALL CONSIST OF: In Jefferson County: Tract 0125; Block Group 1; Block Group 7; Block Group 8; Block Group 9; Blocks 905, 906, and 920; Tract 0123.02; Tract 0124.03; Tract 0124.02; Tract 0121.03; Tract 0121.04; Tract 0116; Tract 0120.01; Tract 0115; Enumeration District 105; Tract 0117.03; Block Group 1; Blocks 101 through 107.

HOUSE DISTRICT 36 SHALL CONSIST OF: In Jefferson County: Tract 0139.02; Tract 0100.02; Tract 0100.01; Tract 0140; Tract 0122; Tract 0141.02 except Block Group 1. In Walker County: Tract 0213; Enumeration District 915; Tract 0214; Enumeration District 910; Enumeration District 909U; Tract 0215; Tract 0216.

HOUSE DISTRICT 37 SHALL CONSIST OF: In Jefferson County: Tract 0130.01; Tract 0130.02; Tract 0057.02; Tract 0052; Tract 0038.03; Tract 0038.02; Tract 0040.

HOUSE DISTRICT 38 SHALL CONSIST OF: In Jefferson County: Tract 0051.01; Tract 0051.02; Tract 0042; Tract 0044; Tract 0041; Tract 0050; Tract 0049; Tract 0029; Tract 0030.02.

HOUSE DISTRICT 39 SHALL CONSIST OF: In Jefferson County: Tract 0014; Tract 0015; Tract 0016; Tract 0047.03; Tract 0047.01; Tract 0046; Tract 0027; Tract 0045; Tract 0028.01; Tract 0028.02; Tract 0047.02; Tract 0026.02; Tract 0026.01.

HOUSE DISTRICT 40 SHALL CONSIST OF: In Jefferson County: Tract 0037; Tract 0036; Tract 0034; Tract 0035; Tract 0135; Tract 0134; Tract 0106.03; Tract 0132; Block Group 3; Block Group 4; Tract 0123.01 except Block Group 7; Tract 0125; Block Group 2; Block Group 4; Block Group 5; Block Group 9 except Blocks 905, 906 and 920.

HOUSE DISTRICT 41 SHALL CONSIST OF: In Jefferson County: Tract 0141.04; Tract 104.01; Tract 0103.02; Tract 0102; Tract 0138.01; Tract 0101; Tract 0138.02; Tract 0139.01; Tract 0143.01; Tract 0123.01; Block Group 7; Tract 0103.01; Block Group 5; Tract 0136.02.

HOUSE DISTRICT 42 SHALL CONSIST OF: In Jefferson County: Tract 0137; Tract 0133; Tract 0105; Tract 0136.01; Tract 0131; Tract 0057.01; Tract 0132; Block Group 1; Block Group 2; Tract 0106.02; Tract 0106.01; Tract 0038.01.

HOUSE DISTRICT 43 SHALL CONSIST OF: In Jefferson County: Tract 0054; Tract 0119.03; Tract 0119.02; Tract 0019.01; Tract 0018.02; Tract 0018.01; Tract 0023.03; Tract 0023.04; Tract 0005; Tract 0053.01; Tract 0002; Tract 0019.02; Tract 0024; Tract 0003; Tract 0022; Block Group 1; Block Group 2.

HOUSE DISTRICT 44 SHALL CONSIST OF: In Jefferson County: Tract 0008; Tract 0007; Tract 0055; Tract 0006; Tract 0017; Tract 0025; Tract 0109 except Block Group 5 and 7; Tract 0004; Tract 0010; Tract 0009.

HOUSE DISTRICT 45 SHALL CONSIST OF: In Jefferson County: Tract 0032; Tract 0033; Tract 0031; Tract 0030.01; Tract 0011; Tract 0012; Tract 0124.01; Tract 0039.

HOUSE DISTRICT 46 SHALL CONSIST OF: Tuscaloosa County: Tract 0116; Tract 0117; Tract 0118; Tract 0119; Tract 0120; Tract 0121, Blocks: 109, 122-130, 133, 202, 204-210, and 234; Tract 0124.

HOUSE DISTRICT 47 SHALL CONSIST OF: Tuscaloosa County; Tuscaloosa City part of Windham Springs Division; Tract 0104.02; Tract 0105; Tract 0108, Block Group 1, Blocks 203 and 235, Block Group 3 except Blocks 301-311 and 340, and Block Group 9; Tract 0109; Tract 0110; Tract 0111; Tract 0112; Tract 0113; Tract 0114; Tract 0115; Tract 0121, Blocks 105-108, 110, 112-120, 211-225 and 238; Brookwood Division.

HOUSE DISTRICT 48 SHALL CONSIST OF: All of Bibb County; Tuscaloosa County; Abernant Division; Coaling-Vance Division; Tract 0108, Block Group 2 except Blocks 203 and 235, Block Group 4, Blocks 301-311, and Block 340; Tract 0121, Blocks 101-104, 226-233; Tract 0122; Tract 0123.

HOUSE DISTRICT 49 SHALL CONSIST OF: In Jefferson County: Tract 0129.01; Tract 0129.04; Tract 0129.02; Tract 0129.03; Tract 0128.01.

HOUSE DISTRICT 50 SHALL CONSIST OF: In Jefferson County: Tract 0104.02; Tract 0141.05; Tract 0141.03; Tract 0142.03; Tract 0142.02; Tract 0142.04; Tract 0144.03; Tract 0144.01; Tract 0141.02; Block Group 1; Tract 0144.02 except Block Group 5; Tract 143.02; Block Group 3.

HOUSE DISTRICT 51 SHALL CONSIST OF: In Jefferson County: Tract 0144.02; Block Group 5; In Shelby County: Tract 0303.01 (except Enumeration District 9); Tract 0303.02; Tract 0304.01; Tract 0304.02; Enumeration District 21; Tract 0306.01; Tract 306.02 (except Enumeration District 14).

HOUSE DISTRICT 52 SHALL CONSIST OF: In Jefferson County: Tract 0110; Blocks 104, 105, 106, 108, 109, 114, 115, 116, 117 and 118 of Block Group 1 in Tract 0127.02; Tract 0111.05; Blocks 315, 337, 338, 339, 340, 341 and 342; In Shelby County: Tract 0301; Tract 0302; Tract 0305; Tract 0306.02, Enumeration District 14 only; Tract 0307.01; Tract 0307.02; Tract 0308; In Talladega County: In Sylacauga Division: Enumeration District 699A.

HOUSE DISTRICT 53 SHALL CONSIST OF: All of Chilton County; In Shelby County: Enumeration District 15; Enumeration District 16; Enumeration District 17; Enumeration District 18; Enumeration District 20.

HOUSE DISTRICT 54 SHALL CONSIST OF: Coosa County (all); In Talladega County: All Sylacauga Division except: Enumeration District 699A; Sycamore-Winterboro Division.

HOUSE DISTRICT 55 SHALL CONSIST OF: In Talladega County: Childersburg Division; Renfore-Lanier Division; Talladega Division; In Lincoln-Eastaboga Division: Enumeration District 656A.

HOUSE DISTRICT 56 SHALL CONSIST OF: In St. Clair County: All of St. Clair County except: In the Springville Division, Town of Springville, Enumeration District 859; Enumeration District 860 and in the Remainder of Springville Division, Enumeration District 865.

HOUSE DISTRICT 57 SHALL CONSIST OF: In Calhoun County: All of Census Tract 19, 20, 21, 22, 23, 24, and that part of Census Tract 25 not included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 58 SHALL CONSIST OF: In Calhoun County: Census Place 1325 and 0200 of the Anniston Division; And In the remainder of the Anniston Division (Census Place 9999) Tract 1p, 4p, 5p, 6p, 11p, 12p; and All of Census Tracts 13, 14, 15, 16, 17 and only that part of Census Tract 25 included in Blocks 210, 211, 333, 334, 335, 336, 337, and 338.

HOUSE DISTRICT 59 SHALL CONSIST OF: In Calhoun County: All of Census Tract 18 and that part of the Anniston Division included in the City of Anniston (Census Place 0060) and that part of the Anniston Division included in the City of Hobson (Census Place 0895) and in the remainder of the Anniston Division (Census Place 9999) all of Census Tract 0010p.

HOUSE DISTRICT 60 SHALL CONSIST OF: Clay County; Cleburne

County; Munford Division of Talladega County; All of Lincoln-Eastaboga Division of Talladega County, except Enumeration District 656A; Calhoun County; Ohatchee Division.

HOUSE DISTRICT 61 SHALL CONSIST OF: All of Randolph County; In Chambers County: All of the Five Points Division; All of the Milltown Division; All of the Lanett Division; Only E. D. 108 of the LaFayette Division.

HOUSE DISTRICT 62 SHALL CONSIST OF: All of Tallapoosa County not included in E. D. 185 and E. D. 187 of the Camp Hill Division.

HOUSE DISTRICT 63 SHALL CONSIST OF: In Chambers County: In Remainder of LaFayette Division: Enumeration District 107; The Waverly Division; In Tallapoosa County: In Camp Hill Division: Enumeration District 185; Enumeration District 187; In Lee County: All of the City of Auburn, except Tract 0405p of the Auburn-Opelika Division; In remainder of Auburn-Opelika Division: Tract 0406p; Tract 0409p; Tract 0411p; Tract 0412p of Enumeration District 529; All of Loachapoka-Roxana Division except Tract 0410, Block 215.

HOUSE DISTRICT 64 SHALL CONSIST OF: In Chambers County: All LaFayette City in LaFayette Division; Enumeration District 109 of LaFayette Division; All Langdale Division; In Lee County: In Auburn-Opelika Division; Block Groups 1, 2, 3(p) of Tract 0411(p) in City of Opelika; Tract 0412(p) of City of Opelika; All of Tract 0413, except Blocks 406 through 420 of Block Group 4; Blocks 101, 102, 103, 113, 114, 115, 123 and 124 in Block Group 1 of Tract 0414; All of Tract 0415; All of Tract 0416; In Tract 0417(p): Block Group 1p, 2p and Blocks 315, 316, 317, 324 and 325 of Block Group 3; In Remainder of Auburn-Opelika Division in Tract 0412: Blocks 101 through 109 of Block Group 1 In Tract 417; All of Block Group 1; All of Block Group 2; In Beulah Division; Enumeration District 526; Enumeration District 527; Enumeration District 528.

HOUSE DISTRICT 65 SHALL CONSIST OF: All of Russell County except Phenix City; In Lee County: In Auburn-Opelika Division: Auburn City: Tract 0405(p); Opelika City: Tract 0405(p); Block Group 4 of Tract 0411p; Blocks 406 through 420 of Tract 0413; All of Tract 0414 except Blocks 101, 102, 103, 113, 114, 115, 123 and 124; In Tract 0417(p): Block Group 3, except Blocks 315, 316, 317, 324p and 325p; In Remainder of Auburn-Opelika Division: Tract 0404p; Tract 0405p; Tract 0417p; All of Block Group 3; All of Beauregard-Marvin Division; Enumeration District 525 of the Beulah Division; All of Smiths-Salem Division; In Loachapoka-Roxana Division; Tract 0410; Block 215.

HOUSE DISTRICT 66 SHALL CONSIST OF: In Russell County: All of Phenix City Division.

HOUSE DISTRICT 67 SHALL CONSIST OF: All of Bullock County; All of Macon County.

HOUSE DISTRICT 68 SHALL CONSIST OF: Pike County; In Barbour County: Louisville Division; Clayton Division; Eufaula Division, remainder; Enumeration District 325; Enumeration District 326A; Enumeration District 327A.

HOUSE DISTRICT 69 SHALL CONSIST OF: In Barbour County: Clio Division; In Henry County: Abbeville Division; In Dale County: Ozark Division; Echo Division, Enumeration District 650; Fort Rucker Division, remainder; Enumeration District 669; Enumeration District 668.

HOUSE DISTRICT 70 SHALL CONSIST OF: In Barbour County: All of Eufaula Division, except Enumeration District 325, Enumeration District 326A, Enumeration District 327 in remainder of Eufaula Division; All of Bakerhill Division; In Henry County: All of Shorterville Division; All of Haleburg Division; All of Headland-Newville Division; In Houston County: Tract 0416; Tract 0417; Tract 0419; Enumeration District 764 in remainder of Gordon Division; Tract 0418p in Gordon Division (Town of Gordon).

HOUSE DISTRICT 71 SHALL CONSIST OF: In Houston County: Tract 0402; Tract 0404; Tract 0414p; Block Group 3; Block Group 4; Tract 0405; Tract 0406; Tract 0407; Tract 0408; Tract 0410; Tract 0411; Tract 0412; Tract 0413.

HOUSE DISTRICT 72 SHALL CONSIST OF: In Dale County: Daleville Division; Newton-Midland City Division; Enumeration District 669; Enumeration District 666 of Fort Rucker Division; Enumeration District 651 and Enumeration District 652 of the Echo Division; Enumeration District 664 of remainder of Newton-Midland City Division; In Houston County: Tract 0401; Tract 0403; Tract 0414, all except Block Group 3 and Block Group 4; Tract 0415.

HOUSE DISTRICT 73 SHALL CONSIST OF: In Coffee County: Enumeration District 264; Enumeration District 267; Geneva County; In Houston County: Madrid Division; Cottonwood Division; In Remanider of Gordon Division: Enumeration District 765; Dothan Division; Tract 0409.

HOUSE DISTRICT 74 SHALL CONSIST OF: All of Coffee County except: Enumeration District 264; Enumeration District 267.

HOUSE DISTRICT 75 SHALL CONSIST OF: All of Covington County.

HOUSE DISTRICT 76 SHALL CONSIST OF: In Elmore County: The Tallassee Division; The Eclectic Division; The Wetumpka Division; The Titus Division; The Elmore Division, except Block Group 1 of Tract 0104p in the Prattville City part and the remainder of Elmore Division Tract 0104p Block Group 1.

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0001; Tract 0002; Tract 0003; Tract 0004, Blocks 114, 201, 202, Block Group 3, 4, 5, 6, 7, 8; Tract 0006; Tract 0007, Block Group 5, 6, 7; Tract 0012; Tract 0015, Blocks 318, 319, 320, 321, 501, 502, 503, 504, 505, 506, 507, 531, 532, 725; Block Group 4; Tract 0051.01, Blocks 913p, 928, 929, 932p, 935, 936, 940, 941, 951, 955, 958, 960, 961p, 963p, 964, 965, 966, 968p, 969p, 971, 973p, 989, 801, 802p, 904, 910, 911, 912, 913p, 927, 932p, 942, 959, 961p, 962p, 963p, 968p, 969p, 973p; Tract 0051.02; Tract 0011, Block Group 1, 5, 7, 8; Blocks 201, 203, 204, 205, 209, 210, 211, 212, 215, 222, 225, 604, 605, 615, 625, 626, 628, 629, 632, 634; Tract 0013, Blocks 401, 408, 409, 410, 411, 407, 406.

HOUSE DISTRICT 78 SHALL CONSIST OF: In Montgomery County: Ramer Division; Pike Road Division; Pine Level Division; Mt. Meigs Division; Montgomery Division; Tract 0029; Tract 0032; Tract 0051.01, Blocks 945, 943, 962p, 949; Tract 0054.01; Tract 0054.02; Tract 0054.03; Tract 0054.04; Tract 0054.05; Tract 0056.03, except Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956; In Remainder of Montgomery Division; Tract 0056.03p.

HOUSE DISTRICT 79 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0004, Blocks 106, 103, 105, 113, 117, 109, 118, 102, 101, 209, 210, 208, 211, 207, 205, 206, 115, 112, 111, 212, 213, 204; Tract

0025; Tract 0051.03; Tract 0016; Tract 0017; Tract 0027; Tract 0026; Tract 0005; Tract 0019; Tract 0018; Tract 0053.01; Tract 0053.02.

HOUSE DISTRICT 80 SHALL CONSIST OF: In Montgomery County: Tract 0011; Blocks 216, 217, 218, 219, 220, 224, 601; Block Group 3, 4; Tract 0010; Tract 0013; Blocks 302, 303, 304, 305, 306, 307, 310, 311, 312, 313, 314, 315; Tract 0022; Blocks 409, 410, 411, 606, 607, 608, 701, 702, 703, 704, 705, 706, 707, 708; Block Group 5, 8; Tract 0023; Block Group 1, 2, 3, 5; Blocks 401, 402, 403, 404, 405, 406, 407, 409, 410, 411, 412, 415, 416, 418; Tract 0024; Tract 0059.02; Tract 0060.01; Blocks 903, 902, 988, 989; Tract 0060.02; Tract 0030.

HOUSE DISTRICT 81 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 0007; Block Group 1, 2, 3, 4; Tract 0013; Block Group 1, 2; Blocks 301, 308, 309, 402, 403, 405, 415; Tract 0015; Blocks 106, 107, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 124, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 317, 510, 516, 517, 518, 519, 530; Block Group 2; Tract 0020; Tract 0021; Tract 0022; Block Group 1, 2; Blocks 301, 302, 303, 304, 601, 602, 603, 604, 605, 709, 710; Tract 0028; Tract 0033; Tract 0056.02; Tract 0014; Tract 0056.03, Blocks 902, 903, 904, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955 and 956.

HOUSE DISTRICT 82 SHALL CONSIST OF: In Autauga County: Autaugaville Division; Prattville Division; Marbury Division, Enumeration District 775; In Lowndes County: Lowndesboro Division; Benton Collerine Division; In Elmore County: Deatsville Division; Elmore Division; Block Group 1 of Tract 0104p in the Prattville City part; The Remainder of Elmore Division; Tract 0104p Block Group 1.

HOUSE DISTRICT 83 SHALL CONSIST OF: Wilcox County; Pineapple Division; Camden Division; Alberta Division; Lowndes County; Braggs Division; Ft. Deposit Division; Hayneville Division. Montgomery County; Montgomery Division; Tract 0009; Tract 0060.01; Less Blocks 903, 902, 988, 989; Hope Hull Division; Tract 0059.01; Montgomery Division; Tract 0023; Blocks 414, 413; Tract 0022; Blocks 407, 406, 405, 310, 309, 308, 307, 306, 311, 403, 404, 401, 422, 903, 408, 305; Tract 0031.

HOUSE DISTRICT 84 SHALL CONSIST OF: Butler County; Crenshaw County.

HOUSE DISTRICT 85 SHALL CONSIST OF: In Dallas County: City of Selma minus BNA-9901, Block Group 1; Enumeration District 55; Enumeration District 56-B; Enumeration District 56-V; Enumeration District 51; Enumeration District 50; In Autauga County: Enumeration District 775; Enumeration District 776; Enumeration District 777; Enumeration District 778; Enumeration District 779.

HOUSE DISTRICT 86 SHALL CONSIST OF: All of Perry County; In Dallas County: Enumeration District 52-U; Enumeration District 69; Enumeration District 59; Enumeration District 53; Enumeration District M-62; Enumeration District 61; Enumeration District 67; Enumeration District 66; Enumeration District 68; Enumeration District 52-T; Enumeration District 54; Enumeration District 58; Enumeration District 57; Enumeration District 65; Enumeration District 63; Enumeration District 56-A; Town of Orrville; In City of Selma, BNA-9901, Block Group 1.

HOUSE DISTRICT 87 SHALL CONSIST OF: All of Marengo County; In Hale County: River Bend Division; Prairie Eden-Newbern Division; Greensboro Division; Mt. Herman Valley Division; Moundville Division.

HOUSE DISTRICT 88 SHALL CONSIST OF: All of Greene County; Pickens County; Aliceville Division; Carrollton Division; Ethelsville Division; Raleigh Division; Hale County; Sawyerville Division; Stewart-Akron Division; Tuscaloosa County; Fosters Division; Big Sandy-Duncanville Division; Tract 0125 (all).

HOUSE DISTRICT 89 SHALL CONSIST OF: Tuscaloosa County: Coker Division; Elrod-Moore's Bridge Division; Samantha Division; Windham Springs Division; less Tuscaloosa City part; Tract 0104.01; Tuscaloosa Division part of Tract 0102; Pickens County: Gordo Division; Reform Division.

HOUSE DISTRICT 90 SHALL CONSIST OF: All of Sumter County; All of Choctaw County; Washington County: Millry Division; In Remainder of Chatom Division, Enumeration District 129.

HOUSE DISTRICT 91 SHALL CONSIST OF: Escambia County.

HOUSE DISTRICT 92 SHALL CONSIST OF: Clarke County; In Monroe County: Vredenburgh Division; Monroeville Division, Enumeration District 109T; Monroeville Division, Enumeration District 110; Uriah Division; In Baldwin County: Stockton Division.

HOUSE DISTRICT 93 SHALL CONSIST OF: Conecuh County; In Monroe County: Beatrice Division; Frisco City Division; Peterman Division; Monroeville Division, Enumeration District 109U; Enumeration District 106, Enumeration District 107, Enumeration District 108U, Enumeration District 108T; In Wilcox County: Coy-Fatama Division; Pinehill Division.

HOUSE DISTRICT 94 SHALL CONSIST OF: In Baldwin County: Foley Division; Fairhope Division; Elberta Division; Summerdale Division; Robertsdale Division, Enumeration District 406, Enumeration District 407T, Enumeration District 407U; In Daphne Division: Block 254; Block 248; Block 238.

HOUSE DISTRICT 95 SHALL CONSIST OF: In Baldwin County: Bay Minette Division; Daphne Division, except Blocks 254, 248 and 238; Loxley Division; Silverhill Division; Robertsdale Division, Enumeration District 404T; Enumeration District 404U, Enumeration District 408, Enumeration District 439; Enumeration District 410.

HOUSE DISTRICT 96 SHALL CONSIST OF: In Washington County: Enumeration District 127; Enumeration District 128; Enumeration District 130; Enumeration District 131; Enumeration District 132; Enumeration District 133; Enumeration District 134; Enumeration District 135; Enumeration District 136; In Mobile County: Remainder Mobile Division of Tract 0034.03; In Citronelle Division: In Tract 0059: Enumeration District 532; Enumeration District 533A; Enumeration District 533B; Tract 0060; Remainder Mobile Division, In Tract 0061p: Blocks 801, 803, 804, 805, 807, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 823, 808; Enumeration District 571; Remainder Mobile Division of Tract 0034.03: (Partial); Block Group 4; Block 510p; In Semmes Division: In Tract 0062: Enumeration District 535; Enumeration District 536; Enumeration District 534; Tract 0063; In Tanner-Williams Division of Tract 0064: Block Group 1; Block Group 2; Blocks 301-307; Block 319, 320, 322, 323; Block Group 4; Block 901, 906; Blocks 801-819; Block 821, 822, 823, 843, 846, 849.

HOUSE DISTRICT 97 SHALL CONSIST OF: In Mobile County: Mobile Division: Tract 0038.02p; Tract 0038.99; Tract 0054p; Tract 0056p; Tract 0057p, except Blocks 936-946, and 988p and Enumeration District 540;

Creola Town: Tract 0038.02p; Tract 0057p; Chickasaw City: Tract 0038.02p; Tract 0050p; Tract 0051; Tract 0052; Tract 0053p; Tract 0054p; Prichard City: Tract 0050p; Saraland City: Tract 0054p; Tract 0055; Tract 0056p; Tract 0057p, (Block 924p, 923p, 988p, 922); Satsuma City: Tract 0056p; Tract 0057p; Mt. Vernon Division: Tract 0058; Enumeration Districts 525-529; Saraland City: Tract 0061p; Prichard City: Tract 0061p; Blocks 203, 204, 225, 226, 227p, 901p and 902; Remainder of Mobile Division: Tract 0061p; Blocks 227p, 802, 806, 821, 824, 825, 826, 827, 829, 901p, 905, 906, 912, 913p, 918, 919p, 924, 972, 970, 964p, 833, 979, 980, 834, 832, 830, 831, 981, 982, 976 and 958.

HOUSE DISTRICT 98 SHALL CONSIST OF: In Mobile County: Tract 0026 (Partial); (Blocks 101, 102, 115, 604 and 605); Mobile Division: Tract 0034.02p (Block 127p only); Prichard City: Tract 0034.02p; Mobile City: Tract 0039.01p; Prichard City: Tract 0039.01p; Mobile City: Tract 0039.02p; Prichard City: Tract 0039.02p; Prichard City: Tract 0040; Tract 0041; Tract 0042 (Partial); Block Group 1; Blocks 201-203; Blocks 210-219; Block Group 3; Mobile City: Tract 0045p; Prichard City: Tract 0045p; Tract 0046 (Partial); Block Group 1; Block Group 2; Tract 0047; Tract 0048; In Mobile City: Tract 0049p; In Prichard City: Tract 0049p; Tract 0061p (Partial); Blocks 205-224; Block Group 3; Block Group 4; Blocks 944p-975; Remainder of Mobile Division: Tract 0061p; Block 944p.

HOUSE DISTRICT 99 SHALL CONSIST OF: In Mobile County: Tract 0005 (Partial) (All except Block Group 3); Tract 0006; Tract 0007.01; Tract 0007.02; Tract 0008; In Mobile Division: Mobile City: Tract 0012.01p; Prichard City: Tract 0012.01p; Mobile City: Tract 0026 (All except Blocks 101, 102, 115, 604 and 605); Tract 0038.01; Prichard City: Tract 0042 (Partial); Blocks 204-209; Mobile City: Tract 0043p; Tract 0044p; Tract 0045p (Blocks 113p, 128p, 129p); Prichard City: Tract 0043p; Tract 0044p; Tract 0046 (Partial) (Block Group 3 only).

HOUSE DISTRICT 100 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0034.03; Tract 0034.04; Tract 0034.05 (Partial) (All except Block 133); Tract 0036.01; Tract 0036.02; Tract 0036.03; Tract 0037.01; In Tanner-Williams Division (Partial): Tract 0064; Blocks 308-318; Blocks 831-842, 844, 845; Block Group 9; Enumeration District 543; Enumeration District 542T; Enumeration District 542U; Blocks 847, 848, 850-856; In Remainder of Mobile Division: Tract 0057p; Blocks 936-946; Block 988p; Enumeration District 540; In Remainder Mobile Division: Tract 0034.03; Block Group 9; Blocks 501-504.

HOUSE DISTRICT 101 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0031 (Partial); Block Group 1; Block Group 3; Tract 0032.01; Tract 0032.02; Tract 0032.03 (Partial); Tract 0033.01; Tract 0033.02; Tract 0034.01; Tract 0034.02 (Mobile City only); Tract 0034.05 (Block 133 only); Tract 0034.06; Tract 0035.01; Tract 0035.02; Tract 0061p; Block 212p; Block 977p; Block 978p; In Remainder of Mobile Division: Tract 0061p; Block 212p; Block 213; Block 977p; Block 978p.

HOUSE DISTRICT 102 SHALL CONSIST OF: In Mobile County: Tract 0009.01; Tract 0009.02; Tract 0009.03; Tract 0014 (Blocks 502-505); Tract 0021 (Partial) (Blocks 102-109); Tract 0022 (Partial); Block Group 1; Block Group 2; Block Group 3; Block Group 4; Tract 0023.01; Tract 0023.02; Tract 0024; Tract 0025.01; Tract 0025.02; Tract 0027; Tract 0028; Tract 0029; Tract 0031 (Partial) (Block 101 only).

HOUSE DISTRICT 103 SHALL CONSIST OF: In Mobile County: Tract 0001; Tract 0002; Tract 0003; Tract 0004.01; Tract 0004.02; Tract 0005

(Block Group 3 only); Tract 0010.01; Tract 0010.02; Tract 0011; Tract 0012.02; Tract 0012.99; Tract 0013.01; Tract 0013.02; Tract 0014 (Minus Blocks 502-505); Tract 0015.01; Tract 0015.02; Tract 0016; Tract 0017; Tract 0018 (Partial); Blocks 101, 102, 104, 112, 113, 122, 123; Tract 0019.01 (Block 101 only); Tract 0019.02 (Partial); Blocks 101-115; Block 120; Block 121; Blocks 302-313; In Mobile Division: In Mobile City: Tract 0038.02p (Block 925p only); Tract 0038.99; Tract 0045p (Partial); Blocks 101p, 124p, 125p; Tract 0053p; Tract 0054p; Tract 0056p.

HOUSE DISTRICT 104 SHALL CONSIST OF: In Mobile County: In Mobile Division: In Mobile City: Tract 0018 (Partial); Blocks 105-111, 114-121 and 124; Block Group 2; Tract 0019.01 (Partial) (All except Block 101); Tract 0019.02 (Partial); Blocks 116, 117; Block Group 2; Blocks 314 and 315; Tract 0020; Tract 0021 (Partial); Blocks 112-118; Block Group 2; Block Group 3; Block Group 4; Tract 0030; Tract 0031 (Partial); Block Group 2; Tract 0037.02; Tract 0068p (Partial); Block Group 230p; In Mobile Division (Partial): Tract 0068; Block Group 1; Block Group 2; Block Group 3; In Mobile County: In Theodore Division: Tract 0069 (Partial); Blocks 125, 126, 151, 152; Tract 0070 (Partial); Block Group 1, except Blocks 137-140; Block Group 9; Tract 0071 (Partial); Enumeration District 557; Enumeration District 558; Enumeration District 559.

HOUSE DISTRICT 105 SHALL CONSIST OF: In Mobile County: In Grand Bay Division: Tract 0065; Tract 0066; Tract 0067; In Theodore Division (Partial): Tract 0069 (Partial); Block Group 1, Minus Blocks 125, 126, 151, 152; Block Group 3; Block Group 2; Tract 0070 (Partial); Blocks 137-140; Tract 0071 (Partial); Block Group 1; In Bayou la Batre Division: Tract 0072.01; Tract 0072.02; Tract 0072.99; Tract 0073; Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each Senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the purpose of electing members of the House of representatives of the Alabama Legislature as follows:

District 1 House District Nos. 1, 2 and 3;

District 2 House District Nos. 4, 5 and 6;

District 3 House District Nos. 7, 8 and 9;

District 4 House District Nos. 10, 11 and 12;

District 5 House District Nos. 13, 14 and 15;

District 6 House District Nos. 16, 17 and 18;

District 7 House District Nos. 19, 20 and 21;

District 8 House District Nos. 22, 23 and 24;

District 9 House District Nos. 25, 26 and 27;

District 10 House District Nos. 28, 29 and 30;

District 11 House District Nos. 31, 32 and 33;

District 12 House District Nos. 34, 35 and 36;

District 13 House District Nos. 37, 38 and 39;

District 14 House District Nos. 40, 41 and 42;

District 15 House District Nos. 43, 44 and 45;
District 16 House District Nos. 46, 47 and 48;
District 17 House District Nos. 49, 50 and 51;
District 18 House District Nos. 52, 53, and 54;
District 19 House District Nos. 55, 56 and 57;
District 20 House District Nos. 58, 59 and 60;
District 21 House District Nos. 61, 62 and 63;
District 22 House District Nos. 64, 65 and 66;
District 23 House District Nos. 67, 68 and 69;
District 24 House District Nos. 70, 71 and 72;
District 25 House District Nos. 73, 74 and 75;
District 26 House District Nos. 76, 77 and 78;
District 27 House District Nos. 79, 80 and 81;
District 28 House District Nos. 82, 83 and 84;
District 29 House District Nos. 85, 86 and 87;
District 30 House District Nos. 88, 89 and 90;
District 31 House District Nos. 91, 92 and 93;
District 32 House District Nos. 94, 95 and 96;
District 33 House District Nos. 97, 98 and 99;
District 34 House District Nos. 100, 101 and 102;
District 35 House District Nos. 103, 104 and 105.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE TABLED

On motion of Rep. Manley, the substitute No. 2 offered by Rep. Harrison to the bill, S. 1, was tabled.

Yeas 63; Nays 11.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley,

Johnson (R. G.), Kelley, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Pegues, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—63

Nays:

Reps. Buskey, Escott, Harrison, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Reed and Tucker.

—11

SUBSTITUTE OFFERED

Rep. Harrison offered the following substitute No. 3 to the bill, S. 1:

A BILL TO BE ENTITLED AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF: In Lauderdale County: Florence Division; Florence City (all).

HOUSE DISTRICT 2 SHALL CONSIST OF: In Lauderdale County: Cloverdale Division; Tract 114; Block Group 1 outside of town groups; Block Group 2 outside of town groups; Florence Division; St. Florian Town (all); Remainder of Florence Division; Killen Division (all); Lexington Division (all); Oakland-Division (all); Rogersville Division (all).

HOUSE DISTRICT 3 SHALL CONSIST OF: In Colbert County: Leighton Division; Tract 208; Block Group 1 outside of town groupings; Enumeration District 0901; Enumeration District 0902T; Enumeration District 0902U; Tri-Cities Division (all).

HOUSE DISTRICT 4 SHALL CONSIST OF: In Colbert County: Cherokee Division (all); Leighton Division; Leighton (Town (all); Tract 208; Enumeration District 0903; Enumeration District 0904T; Enumeration District 0904U; Littleville Division (all); In Franklin County: Russellville Division except Enumeration District 0058 and Enumeration District 0059; In Lauderdale County: Cloverdale Division, except Tract 114, Block Group 1 outside of town groups and Block Group 2 outside of town groups Waterloo Division.

HOUSE DISTRICT 5 SHALL CONSIST OF: In Franklin County: Phil Campbell Division (all); Red Bay Division (all); Russellville Division; Enumeration District 0058; Enumeration District 0059; Vina Division (all); In Lamar County: Sulligent Division; Detroit Town (all); Enumeration District 0006; In Lawrence County: Mount Hope Division; Enumeration District 0015; In Marion County: Bear Creek Division (all); Bexar Division (all); Hackleburg Division (all); Hamilton Division (all).

HOUSE DISTRICT 6 SHALL CONSIST OF: In Fayette County: Fayette Division; Fayette City (all); Enumeration District 0463A; Enumeration District 0465; North River Division (all); Russell Division (all); In Lamar County: Millport Division; Millport Town (all); Enumeration District 0016; Sulligent Division except Detroit Town and Enumeration District 0006; Vernon Division (all); In Marion County: Brilliant Division (all); Guin Division (all); Winfield Division (all).

HOUSE DISTRICT 7 SHALL CONSIST OF: Lawrence County except Mount Hope Division; Enumeration District 0015; In Morgan County: Danville Division (all); Decatur Division; Tract 0051: Block Group 6 of Decatur City; Block Group 6 outside of town groups; Enumeration District 0270.

HOUSE DISTRICT 8 SHALL CONSIST OF: In Morgan County: Decatur Division; Tract 1; Tract 2; Tract 4; Tract 5; Tract 6; Tract 7; Tract 8; Tract 9; Tract 10; Tract 51; Block Group 5 of Decatur City; Block Group 3 of Trinity Town; Block Group 4 of Trinity Town; Block Group 5 of Trinity Town; Block Group 1 outside of town groups; Block Group 2 outside of town groups; Block Group 3 outside of town groups; Block Group 4 outside of town groups; Block Group 5 outside of town groups.

HOUSE DISTRICT 9 SHALL CONSIST OF: In Morgan County: Decatur Division: Tract 3 in Decatur City; Tract 51; Block Group 7 of Decatur City; Block Group 8 of Decatur City; Block Group 9 of Decatur City; Block Group 7 of Flint City Town; Block Group 9 of Flint City Town; Block Group 7 outside of town groups; Block Group 8 outside of town groups; Block Group 9 outside of town groups; Eva Division excluding Tract 56, Enumeration District 0260; Falkville Division (all); Hartselle Division (all); Somerville Division, except Tract 54.02, Enumeration District 0258.

HOUSE DISTRICT 10 SHALL CONSIST OF: In Cullman County, except Baileyton-Joppa Division; Bremen Division, Enumeration District 0143; Crane Hill Division; Cullman Division, West Point Town; Hanceville Division, Garden City Town, Hanceville City, Enumeration District 0139; Jones Chapel Division; Logan Division; Vinemont Division, South Vinemont Town, West Point Town, Enumeration District 0110, Enumeration District 0111A, Enumeration District 0112, Enumeration District 0113.

HOUSE DISTRICT 11 SHALL CONSIST OF: In Blount County: Except Brooksville Division, Tract 504, Enumeration District 0776, Enumeration District 0779; Clarence Division; and Oneonta Division, Tract 501, Enumeration District 0800, Enumeration District 0801, Enumeration District 0804; In Cullman County: Baileyton-Joppa Division (all); Hanceville Division except Enumeration District 0140.

HOUSE DISTRICT 12 SHALL CONSIST OF: In Cullman County: Bremen Division; Enumeration District 0143; Crane Hill Division (all); Cullman Division; West Point Town (all); Jones Chapel Division (all); Logan Division (all); Vinemont Division except Enumeration District 0109; In Winston County: (all).

HOUSE DISTRICT 13 SHALL CONSIST OF: In Fayette County: Berry Division (all); Fayette Division; Enumeration District 0464; In Walker County: Carbon Hill Division (all); Cordova Division (all); Flat Creek-Wegra Division (all); Manchester Division (all); In Walker County: Nauvoo Division (all); Oakman Division (all); Parrish Division (all); Sipsey Division; Tract 208, Enumeration District 0852T; Townley Division (all).

HOUSE DISTRICT 14 SHALL CONSIST OF: In Walker County: Dora

Division (all); Empire Division (all); Jasper Division (all); Sipsey Division except Tract 208, Enumeration District 0852T.

HOUSE DISTRICT 15 SHALL CONSIST OF: In Tuscaloosa County: Brookwood Division (all); Coaling-Vance Division; Tract 107; Enumeration District 0666T; Samantha Division (all); Tuscaloosa Division; Tract 104.02; Tract 108; Tract 121; Tract 122; Tract 123; Windham Springs Division (all)

HOUSE DISTRICT 16 SHALL CONSIST OF: In Limestone County, Excluding Tract 201; and Athens Division, Tract 202, Enumeration District 0681; and Tract 208, Enumeration District 0690T, and Enumeration District 0690U.

HOUSE DISTRICT 17 SHALL CONSIST OF: In Limestone County: Athens Division; Tract 201; Tract 202; Enumeration District 0681; Tract 208; Enumeration District 0690T; Enumeration District 0690U; In Madison County: Arsenal Division except Tract 111, Enumeration District 0541; Hazel Green Division; Tract 103; Enumeration District 0531; Huntsville Division; Tract 105; Tract 106; Tract 107; Block Group 2 outside of town groups; Enumeration District 0535; Enumeration District 0536; Madison Division (all); Madison Crossroads Division (all); Triana-Blackwall Division (all).

HOUSE DISTRICT 18 SHALL CONSIST OF: In Madison County: Arsenal Division; Tract 111; Enumeration District 0541; Huntsville Division; Tract 12; Block Group 3 of Huntsville City; Tract 13; Tract 14 of Huntsville City; Tract 14 outside of Huntsville City; Tract 15; Tract 21; Tract 22; Tract 23; Tract 24; Tract 25.01; Tract 25.02; Tract 28.01; Block Group 9 of Huntsville City.

HOUSE DISTRICT 19 SHALL CONSIST OF: In Madison County: Huntsville Division; Tract 3.01; Tract 3.02; Tract 4.01; Tract 4.02; Tract 5.01; Tract 5.02; Tract 5.03; Tract 6.01; Tract 6.02; Tract 7.01; Tract 7.02; Tract 12; Block Group 1 of Huntsville City; Block Group 2 of Huntsville City.

HOUSE DISTRICT 20 SHALL CONSIST OF: In Madison County: Huntsville Division; Tract 1; Tract 2.01; Tract 2.02; Tract 8; Tract 9.01; Tract 9.02; Tract 10; Tract 11; Tract 16 except Block Group 1 of Huntsville City; Tract 17; Tract 18.01; Tract 18.02; Tract 107 except Block Group 2 outside of Huntsville City; Enumeration District 0535, Enumeration District 0536; Tract 108.

HOUSE DISTRICT 21 SHALL CONSIST OF: In Madison County: Huntsville Division; Tract 16; Block Group 1 of Huntsville City; Tract 19.01; Tract 19.02; Tract 19.03; Tract 20; Tract 26; Tract 27.01; Tract 27.02; Tract 28.01; Block Group 1 of Huntsville City; Block Group 2 of Huntsville City; Tract 28.02; Tract 29.01; Tract 29.02.

HOUSE DISTRICT 22 SHALL CONSIST OF: DeKalb County except Fort Payne Division, Fort Payne City, Enumeration District 0438; Henagar Division.

HOUSE DISTRICT 23 SHALL CONSIST OF: In DeKalb County: Henagar Division (all); In Jackson County except Bridgeport Division; Paint Rock Division; Princeton Division; Scottsboro Division, Enumeration District 0197; Stevenson Division.

HOUSE DISTRICT 24 SHALL CONSIST OF: In Calhoun County: Choccolocco Division; Tract 20; Block Group 1; Block Group 9; Piedmont Division; Tract 22; Enumeration District 0280A; Cherokee County (all).

In Cleburne County: Fruithurst Division (all); Ranburne Division; Enumeration District 0059; In DeKalb County: Fort Payne Division except Enumeration District 0436 and Enumeration District 0437A.

HOUSE DISTRICT 25 SHALL CONSIST OF: In Marshall County: Albertville-Boaz Division (all); Douglas Division except Tract 310, Enumeration District 0824; Grant Division (all); Guntersville Division; Albertville City (all); Tract 307; Enumeration District 0803C; Enumeration District 0803D; Town Creek Division (all).

HOUSE DISTRICT 26 SHALL CONSIST OF: Marshall County except Albertville-Boaz Division; Douglas Division, Place 507; Tract 310, Enumeration District 0822, Enumeration District 0823A; Grant Division; Guntersville Division, Albertville City, Tract 307, Enumeration District 0803C, Enumeration District 0803D; and Town Creek Division; In Morgan County: Eva Division; Tract 56; Enumeration District 0260; Laceys Spring Division (all); Somerville Division; Tract 54.02; Enumeration District 0258.

HOUSE DISTRICT 27 SHALL CONSIST OF: In Jackson County: Bridgeport Division (all); Paint Rock Division (all); Princeton Division (all); Scottsboro Division; Enumeration District 0197; Stevenson Division (all); In Madison County: Gurley Division; Tract 109; Hazel Green Division; Tract 103; Enumeration District 0529; Enumeration District 0530; New Hope Division; Tract 113; Tract 114; New Market Division; Tract 101; Tract 102.

HOUSE DISTRICT 28 SHALL CONSIST OF: In Etowah County: Gadsden Division; Tract 11 in Rainbow City; Tract 13; Tract 14; Tract 15; Tract 16; Tract 17; Tract 101 except Block Group 2 of Attalla City; Tract 102 except Block Group 2 of Attalla City; Tract 103; Block Group 2 outside of town groupings; Tract 104; Tract 105.

HOUSE DISTRICT 29 SHALL CONSIST OF: In Etowah County: Gadsden Division: Tract 1; Tract 2; Tract 3; Tract 4; Tract 5; Tract 6; Tract 7; Tract 8; Tract 9; Tract 10; Tract 11, excluding portion in Rainbow City; Tract 12; Tract 101; Block Group 2 of Attalla City; Tract 102; Block Group 2 of Attalla City.

HOUSE DISTRICT 30 SHALL CONSIST OF: In Blount County: Brooksville Division; Tract 504; Enumeration District 0776; Enumeration District 0779; Clarence Division (all); Oneonta Division; Tract 501; Enumeration District 0800; Enumeration District 0801; Enumeration District 0804; In Etowah County; Altoona Division (all); Gadsden Division; Tract 103, excluding Block Group 2 outside of town groups; Hokes Bluff Division (all); Lookout Mountain Division (all); Mountainboro Division (all); Turkeytown Division (all); Wills Valley Division (all).

HOUSE DISTRICT 31: Tracts 111.03, 112.05; Block Group 1; Blocks 111, 112, 130, 135, 150, 152, 153, 154, 156, 157, 165; Tracts 112.06, 113, 117.06, 119.01, 120.02; Block Group 9; Blocks 949, 950; Block Group 1; Block Group 3; Block Group 4; Block Group 6; Block Group 8; Block Group 2; Blocks 209, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 225, 226, 227; Tracts 117.05, 117.03, 117.04; Block Group 1; Blocks 104, 105, 106, 108, 109, 111, 112.

HOUSE DISTRICT 32; Tracts 111.05; Block Group 1; Block Group 2 Except Blocks 228-250, 203-205, 211; Tract 118.01 Except Block Group 5; Tracts 111.04, 118.02, 112.03, 112.04, 112.05 Except Block Group 1, Blocks 111, 112, 130, 135, 150, 152, 153, 154, 156, 157, 165.

HOUSE DISTRICT 33; Tracts 1, 20, 21, 53.02, 59.05, 59.03, 59.04, 59.06, 118.01; Block Group 5.

HOUSE DISTRICT 34; Tracts 129.02; Block Group 1; Block Group 2; Tracts 129.03, 128.01, 108.03; Block Group 5; Tract 108.02 Except Block Group 4, Blocks 410, 409, 402, 418, 427, 428, 429, 426, 463, 419, 431, 462; Tracts 108.04, 108.05, 128.02, 127.02, 110; Block Group 3; Block Group 4; Block Group 5; Block Group 2; Blocks 208, 210, 212, 226-230, 233-235; Blocks 238-245, 251, 252.

HOUSE DISTRICT 35; Tracts 47.02, 23.05, 23.06, 108.01, 56, 108.03; Block Group 1; Tracts 127.01, 126.02, 110; Block Group 1; Block Group 2 Except Blocks 233, 234, 235, 230, 208, 266, 212, 210, 228, 229, 226, 227; Tracts 126.01, 111.05; Block Group 9; Block Group 3; Block Group 2; Blocks 228-250; 203-205, 211, 213; Tract 108.01; Block Group 3; Blocks 329, 353, 322, 330, 334, 335, 332; Blocks 333, 319, 320, 336, 318.

HOUSE DISTRICT 36; Tracts 144.01; Block Group 1; Blocks 109-114, 140; Block Group 2; Block Group 3; Tract 129.01; Block Group 3; Tract 144.02, 129.04, 129.02; Block Group 4.

HOUSE DISTRICT 37; Tracts 36 Except Block Group 7; Tract 37; Block Group 4; Block Group 6; Tracts 34, 106.03, 134, 135, 35, 123.01 Except Block Group 7; Tract 125, 124.02; Block Group 9; Block Group 1; Block Group 2; Blocks 216, 221, 222.

HOUSE DISTRICT 38; Tracts 104.02, 141.05, 142.03, 141.03, 141.02, 140, 138.01; Block Group 7; Tract 100.02, 100.01, 139.02, 123.02; Enumeration District 118; Enumeration District 117; Block Group 1; Block Group 8.

HOUSE DISTRICT 39; Tracts 124.02; Block Group 4; Block Group 5; Tracts 124.03, 123.02; Enumeration District 115; Enumeration District 116; Block Group 5; Block Group 9; Tracts 121.04, 115, 116, 120.01; Block Group 7; Tract 117.04 Except Block Group 1, Blocks 104, 105, 106, 108, 109, 111, 112; Tracts 114, 121.03, 122.

HOUSE DISTRICT 40; Tracts 130.01, 130.02, 57.02, 52.00, 38.03, 38.02 Except Block Group 8; Block Group 6; Blocks 627, 631, 630, 624; Tract 40 Except Block Group 1, Blocks 104, 106, 120, 121; Tract 37; Block Group 2; Block Group 3; Tract 39; Block Group 3; Block Group 1.

HOUSE DISTRICT 41; Tracts 51.01, 51.02, 42.00, 44.00, 41.00, 50.00, 49.00 Except Block Group 3; Block Group 2; Blocks 208, 209, 210, 207, 236, 235, 232; Tract 58, Block Group 9, Blocks 911, 908, 909, 910, 916; Tract 40; Block Group 1; Blocks 104, 106, 120, 121; Tracts 29, 30.02.

HOUSE DISTRICT 42; Tracts 14, 15, 16, 47.03, 47.01, 46, 27, 45, 28.01, 28.02, 26.02, 26.01, 48 Except Block Group 2; Block Group 3; Tracts 25, 17, 6, 7; Block Group 3; Block Group 2; Blocks 221, 222, 223, 224.

HOUSE DISTRICT 43; Tracts 143.02, 107.06, 58 Except Blocks 908-911, 916; Tracts 107.01, 107.02, 107.03, 107.04, 107.05, 144.03, 144.01; Block Group 1 Except Blocks 109, 110, 111, 112, 113, 114, 140, 141; Tract 129.01; Block Group 2; Tract 49; Block Group 3; Block Group 2; Blocks 208, 209, 210, 207, 232, 235, 236; Tract 48; Block Group 2; Block Group 3; Tracts 108.01; Block Group 3; Blocks 329, 353, 322, 330, 334, 335, 332, 333, 319, 320, 336, 318; Tract 108.02; Block Group 4; Blocks 410, 409, 402, 418, 427, 428, 429, 431, 426, 463, 419, 462; Tract 143.01; Block Group 6; Block 620; Block Group 3; Blocks 306, 305, 308, 307, 310, 311, 313, 340 (outside).

HOUSE DISTRICT 44; Tracts 141.04, 104.01, 103.02, 102, 138.01 Except Block Group 7; Tracts 101, 138.02, 139.01, 143.01 Except Block Group 3; Blocks 306, 305, 308, 307, 310, 311, 313, 340; Block Group 6; Blocks 620; Tract 123.01; Block Group 7; Tracts 136.02, 103.01; Block Group 6; Block Group 7; Block Group 5.

HOUSE DISTRICT 45; Tracts 137.00, 133.00, 105.00, 136.01, 131.00, 57.01, 132.00; Block Group 1; Block Group 2; Tracts 106.02, 106.01, 38.01, Tract 132; Block Group 3; Block Group 4; Tract 36; Block Group 7; Tract 38.02; Block Group 8; Block Group 6; Blocks 627, 631, 630, 624.

HOUSE DISTRICT 46 SHALL CONSIST OF: In Tuscaloosa County: Tuscaloosa Division; Tract 104.01; Tract 105; Tract 109; Tract 110; Tract 111; Tract 112; Tract 113; Tract 114; Tract 115; Tract 116; Tract 120.

HOUSE DISTRICT 47 SHALL CONSIST OF: In Tuscaloosa County; Big Sandy-Duncanville Division; Moundville Town (all); Tract 107; Block Group 1 outside of town groups; Enumeration District 0668; Enumeration District 0669; Fosters Division, Excluding Tract 103, Enumeration District 0670; Tuscaloosa Division; Tract 117; Tract 118; Tract 119; Tract 124; Tract 125.

HOUSE DISTRICT 48 SHALL CONSIST OF: In Fayette County: Fayette Division; Belk Town (all); Enumeration District 0466; Enumeration District 0467; In Lamar County: Millport Division; Kennedy Town (all); Enumeration District 0015; In Pickens County: Aliceville Division; Enumeration District 0570; Carrollton Division; Carrollton Town (all); Enumeration District 0563; Ethelsville Division (all); Gordo Division (all); Reform Division (all); In Tuscaloosa County: Coker Division (all); Elrod-Moores Bridge-Echola Division (all); Fosters Division; Tract 103; Enumeration District 0670; Tuscaloosa Division; Tract 102.

HOUSE DISTRICT 49; Tracts 54, 119.03, 119.02, 19.01, 18.02, 18.01, 23.03, 23.04, 5, 53.01, 2, 19.02, 24, 3, 22, 109; Block Group 4; Blocks 410, 423, 427; Block Group 2; Blocks 208, 223.

HOUSE DISTRICT 50; Tracts 8, 55, 4, 10, 9, 120.02; Block Group 5; Block Group 9 Except Blocks 949, 950, 951; Block Group 2 Except Blocks 209, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 227; Tract 109 Except Block Group 4, Blocks 410, 423, 427 Except Block Group 2; Blocks 208, 223; Tract 7 Except Block 3; Block Group 2; Blocks 221, 222, 223, 224; Tract 120.01; Block Group 9; Block Group 6; Blocks 621, 622, 623, 624, 626, 629, 630, 631, 632.

HOUSE DISTRICT 51; Tracts 32, 33, 31, 30.01, 11, 12, 124.01, 39 Except Block Group 3; Block Group 1; Tract 37, Block Group 1; Block Group 5; Tract 124.02; Block Group 2; Blocks 204-207, 211, 223-228; Tract 120.01; Block Group 6 Except Blocks 621, 622, 623, 624, 626, 629, 630, 631, 632; Tract 39; Block Group 3; Block Group 1.

HOUSE DISTRICT 52 SHALL CONSIST OF: In Talladega County: Lincoln-Eastaboga Division (all); Munford Division (all); Renfroe-Lainer Division; Tract 112; Enumeration District 0668; Talladega Division (all).

HOUSE DISTRICT 53 SHALL CONSIST OF: In Chilton County: Clanton Division, except Tract 601, Enumeration District 0515U and Enumeration District 0516; Mineral Springs Division (all); Verbena Division; Tract 607; Enumeration District 0519; In Clay County (all); In Coosa County (all).

HOUSE DISTRICT 54 SHALL CONSIST OF: In Talladega County: Childersburg Division (all); Renfroe-Lanier Division, except Tract 112, Enumeration District 0668; Sycamore-Winterboro Division (all); Sylcauga Division (all).

HOUSE DISTRICT 55 SHALL CONSIST OF: In St. Clair County, except Moody Division, Tract 401, Enumeration District 0891; and Pell City Division, Tract 402, Enumeration District 0881 and Enumeration District 0882 and Enumeration District 0885, and Enumeration District 0886.

HOUSE DISTRICT 56 SHALL CONSIST OF: In St. Clair County: Moody Division; Tract 401; Enumeration District 0891; Pell City Division; Tract 402; Enumeration District 0881; Enumeration District 0882; Enumeration District 0885; Enumeration District 0886; In Shelby County, except Alabaster-Helena Division.

HOUSE DISTRICT 57 SHALL CONSIST OF: In Jefferson County: Greenwood Division; Tract 142.02 outside of town groups; Tract 142.04 in Bessemer City; Tract 142.04 outside of town groups; In Shelby County: Alabaster-Helena Division (all).

HOUSE DISTRICT 58 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 11; Block Group 5 outside of town groups; Tract 12; Tract 13; Tract 14; Tract 15; Tract 16; Tract 17; Ohatchee Division; Tract 26; Websters Chapel-Alexandria Valley Division; Tract 25; Block Group 5 outside of town groups; Enumeration District 0284A; Enumeration District 0285; Enumeration District 0286; Enumeration District 0287.

HOUSE DISTRICT 59 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 1; Tract 2; Tract 3; Tract 4; Tract 5; Tract 6; Tract 7; Tract 8; Tract 9; Tract 10, except that portion of Tract 10 outside of town groups; Tract 11, except Block Group 5 outside of town groups.

HOUSE DISTRICT 60 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 18; Tract 19; Jacksonville Division (all); Piedmont Division, except Tract 22, Enumeration District 0280A; Websters Chapel-Alexandria Valley Division; Tract 25; Block Group 3 of Glencoe City; Block Group 1 outside of town groups; Block Group 2 outside of town groups; Block Group 3 outside of town groups; Block Group 4 outside of town groups.

HOUSE DISTRICT 61 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 10 outside of town groups; Choccolocco Division; Tract 20; Block Group 2 outside of town groups; Block Group 3 outside of town groups; Enumeration District 0298; Enumeration District 0299; Enumeration District 0300; Enumeration District 0301; Enumeration District 0302; Enumeration District 0303; In Chambers County: Five Points Division (all); Milltown Division (all); In Cleburne County, except Fruithurst Division and Ranburne Division, Enumeration District 0059; In Randolph County: (all).

HOUSE DISTRICT 62 SHALL CONSIST OF: In Tallapoosa County, except Camp Hill Division, Enumeration District 0187; and Dadeville Division, Enumeration District 0183D.

HOUSE DISTRICT 63 SHALL CONSIST OF: In Chambers County, except Five Points Division and Milltown Division; In Tallapoosa County; Camp Hill Division; Enumeration District 0187; Dadeville Division; Enumeration District 0183D.

HOUSE DISTRICT 64 SHALL CONSIST OF: In Lee County; Auburn-Opelika Division; Auburn City (all); Tract 404 outside of town groupings; Tract 405 outside of town groupings; Tract 406 outside of town groupings; Tract 409 outside of town groupings; Beauregard-Marvyn Division, except Tract 421, Enumeration District 0536; Loachapoka-Roxana Division (all).

HOUSE DISTRICT 65 SHALL CONSIST OF: In Lee County: Auburn-Opelika Division; Opelika City (all); Tract 411 outside of Opelika City; Tract 412 outside of Opelika City; Tract 417 outside of Opelika City; Beulah Division (all); Smiths-Salem Division (all).

HOUSE DISTRICT 66 SHALL CONSIST OF: In Lee County: Beauregard-Marvyn Division; Tract 421; Enumeration Division 0536; In Russell County, except Tract 309.02; Cottonton-Seale Division, Tract 312, Enumeration Division 0384, and Enumeration Division 0385, and Enumeration Division 0386; Hurtsboro Division; and Phenix City Division, Tract 308, Block Group 1 in Phenix City and Block Group 6 in Phenix City and Block Group 6 outside of Phenix City.

HOUSE DISTRICT 67 SHALL CONSIST OF: In Bullock County (all); In Macon County (all).

HOUSE DISTRICT 68 SHALL CONSIST OF: In Barbour County, excluding Bakerhill Division; and Eufaula Division, Eufaula City and Enumeration District 0326A; In Pike County; Banks-Josie Division (all); Brundidge Division (all); Troy Division (all); In Russell County: Cottonton-Seale Division; Tract 312; Enumeration District 0384; Hurtsboro Division (all).

HOUSE DISTRICT 69 SHALL CONSIST OF: In Crenshaw County (all); In Montgomery County; Hope Hull Division, outside of Montgomery City (all); Montgomery Division; Tract 54.01 outside of Montgomery City; Tract 60.01 outside of Montgomery City, excluding Block Group 9 outside of Montgomery City; Mount Meigs Division (all); Pike Road Division, outside of Montgomery City; Pine Level Division (all); Ramer Division (all); In Pike County, excluding Banks-Josie Division, Brundidge Division, and Troy Division.

HOUSE DISTRICT 70 SHALL CONSIST OF: In Houston County, excluding Tract 401, Tract 402, Tract 403, Tract 404, Tract 405, Tract 406, Tract 407, Tract 408, Tract 411, Tract 421.

HOUSE DISTRICT 71 SHALL CONSIST OF: In Houston County; Dothan Division; Tract 401; Tract 402; Tract 403; Tract 404; Tract 405; Tract 406; Tract 407; Tract 408; Tract 411; Madrid Division; Tract 421.

HOUSE DISTRICT 72 SHALL CONSIST OF: In Barbour County: Bakerhill Division (all); Eufaula Division; Eufaula City (all); Enumeration District 0326A; In Henry County (all); In Russell County; Cottonton-Seale Division; Tract 312; Enumeration District 0385; Enumeration District 0386; Phenix City Division; Tract 308; Block Group 1 in Phenix City; Block Group 6 in Phenix City; Block Group 6 outside of Phenix City; Tract 309.02.

HOUSE DISTRICT 73 SHALL CONSIST OF: In Coffee County; Enterprise Division; Tract 103; Enumeration District 0263; Tract 108; Enumeration District 0264; Tract 109; Enumeration District 0268; Goodman Division (all); In Dale County: Daleville Division (all); In Geneva County (all).

HOUSE DISTRICT 74 SHALL CONSIST OF: In Coffee County, excluding Enterprise Division, Tract 103, Enumeration District 0263; Tract 108, Enumeration District 0264; and Tract 109, Enumeration District 0268; and Goodman Division (all); In Dale County: Ozark Division: Arifton Town (all); Tract 201; Enumeration District 0655A.

HOUSE DISTRICT 75 SHALL CONSIST OF: In Dale County, excluding Daleville Division and Ozark Division, Arifton Town and Tract 201, Enumeration District 0655A.

HOUSE DISTRICT 76 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 4, excluding Block Group 7 of Montgomery City; Tract 5; Tract 6; Block Group 4 of Montgomery City; Block Group 5 of Montgomery City; Tract 15; Block Group 1 of Montgomery City; Block Group 2 of Montgomery City; Tract 16; Tract 17, excluding Block Group 2 of Montgomery City; Tract 18; Tract 19; Tract 20; Block Group 1 of Montgomery City; Block Group 4 of Montgomery City; Tract 25; Tract 33; Block Group 1 of Montgomery City; Block Group 2 of Montgomery City; Tract 51.03; Tract 53.01.

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 1; Tract 2; Tract 3; Tract 4; Block Group 7 of Montgomery City; Tract 6, excluding Block Group 4 of Montgomery City and Block Group 5 of Montgomery City; Tract 7; Tract 10; Block Group 9 of Montgomery City; Tract 11; Tract 12; Tract 13; Block Group 4 of Montgomery City; Tract 14; Block Group 4 of Montgomery City; Block Group 5 of Montgomery City; Tract 15, excluding Block Group 1 of Montgomery City, and Block Group 2 of Montgomery City; Tract 51.02, excluding that portion of Tract 51.02 outside of Montgomery City.

HOUSE DISTRICT 78 SHALL CONSIST OF: In Montgomery County: Hope Hull Division; Tract 59.01 in Montgomery City; Tract 59.02; Montgomery Division; Tract 9; Tract 10, excluding Block Group 9 of Montgomery City; Tract 13; Block Group 3 of Montgomery City; Tract 22; Block Group 5 of Montgomery City; Block Group 6 of Montgomery City; Block Group 7 of Montgomery City; Block Group 8 of Montgomery City; Block Group 9 of Montgomery City; Tract 23; Tract 24; Tract 30; Tract 60.01 in Montgomery City; Block Group 9 outside of Montgomery City; Tract 60.02.

HOUSE DISTRICT 79 SHALL CONSIST OF: In Elmore County: Elmore Division; Tract 104; Enumeration District 0972; Enumeration District 0974; Enumeration District 0975; Enumeration District 0977; Enumeration District 0978; Enumeration District 0979; In Montgomery County: Montgomery Division; Tract 17; Block Group 2 of Montgomery City; Tract 26; Tract 27; Tract 33 of Montgomery City, excluding Block 1 of Montgomery City and Block Group 2 of Montgomery City; Tract 51.01; Tract 51.02 outside of Montgomery City; Tract 53.02; Tract 54.01 in Montgomery City; Tract 54.02; Tract 54.03; Tract 54.04; Tract 54.05; Tract 56.02.

HOUSE DISTRICT 80 SHALL CONSIST OF: In Montgomery County: Montgomery Division; Tract 13; Block Group 1 of Montgomery City; Block Group 2 of Montgomery City; Tract 14, excluding Block Group 4 of Montgomery City and Block Group 5 of Montgomery City; Tract 20, excluding Block Group 1 of Montgomery City and Block Group 4 of Montgomery City; Tract 21; Tract 22; Block Group 1 of Montgomery City; Block Group 2 of Montgomery City; Block Group 3 of Montgomery City; Block Group 4 of Montgomery City; Tract 28; Tract 29; Tract 31; Tract 32; Tract 56.03; Pike Road Division; Tract 56.01 in Montgomery City.

HOUSE DISTRICT 81 SHALL CONSIST OF: In Elmore County, excluding Elmore Division; Tract 104, Enumeration District 0972, and Enumeration District 0974, and Enumeration District 0975, and Enumeration District 0977, and Enumeration District 0978, and Enumeration District 0979.

HOUSE DISTRICT 82 SHALL CONSIST OF: In Autauga County (all); In Chilton County; Clanton Division; Tract 601; Enumeration District 0515U; Enumeration District 0516; Verbena Division; Tract 607; Enumeration District 0520; Enumeration District 0521.

HOUSE DISTRICT 83 SHALL CONSIST OF: Bibb County (all); In Chilton County: Isabella-Pletcher Division (all); Jemison Division (all); Maplesville Division (all); In Tuscaloosa County: Abernant Division (all); Big Sandy-Duncanville Division; Tract 107; Enumeration District 0674T; Enumeration District 0674U; Coaling-Vance Division except Tract 107, Enumeration District 0666T.

HOUSE DISTRICT 84 SHALL CONSIST OF: In Dallas County: Selma Division (all).

HOUSE DISTRICT 85 SHALL CONSIST OF: In Dallas County: Craig-Tyler Division (all); Sardis Division; Enumeration District 0061; Enumeration District 0062; In Lowndes County (all); In Wilcox County (all).

HOUSE DISTRICT 86 SHALL CONSIST OF: In Dallas County except Craig-Tyler Division; Sardis Division, Enumeration District 0061, Enumeration District 0062; and Selma Division; In Hale County except Stewart-Akron Division; In Perry County (all).

HOUSE DISTRICT 87 SHALL CONSIST OF: Greene County (all); In Hale County: Stewart-Akron Division (all); In Pickens County: Aliceville Division except Enumeration District 0570; Carrollton Division; Pickensville Town (all); Enumeration District 0564; Raleigh Division (all); In Sumter County.

HOUSE DISTRICT 88 SHALL CONSIST OF: In Choctaw County: Gilbertown-Toxey Division except Enumeration District 0338T, and Enumeration District 0338U; Silas Division (all); In Clark County: Coffeetown Division (all); Fulton Division (all); Grove Hill Division except Enumeration District 0066; Thomasville Division (all); In Washington County.

HOUSE DISTRICT 89 SHALL CONSIST OF: In Choctaw County: Butler Division (all); Gilbertown-Toxey Division; Enumeration District 0338T; Enumeration District 0338U; Lisman Division (all); In Marengo County (all).

HOUSE DISTRICT 90 SHALL CONSIST OF: In Clarke County: Grove Hill Division; Enumeration District 0066; Jackson Northwest Division (all); Jackson Southeast Division (all); In Conecuh County: Repton Division (all); In Monroe County (all).

HOUSE DISTRICT 91 SHALL CONSIST OF: In Escambia County except Brewton Division, Enumeration District 0236.

HOUSE DISTRICT 92 SHALL CONSIST OF: In Butler County (all); In Conecuh County except Repton Division; In Escambia County: Brewton Division; Enumeration District 0236.

HOUSE DISTRICT 93 SHALL CONSIST OF: In Covington County (all).

HOUSE DISTRICT 94 SHALL CONSIST OF: In Baldwin County: Elberta Division (all); Fairhope Division (all); Foley Division (all); Robertsdale Division; Robertsdale City (all); Tract 109; Enumeration District 0410; Summerdale Division (all).

HOUSE DISTRICT 95 SHALL CONSIST OF: In Baldwin County: Bay Minette Division, except Tract 103, Enumeration District 0392 and Enumeration District 0396 and Enumeration District 0398 and Enumeration District 0399; Tract 104, Enumeration District 0391; Tract 105, Enumeration

District 0395; and Tract 106, Enumeration District 0397. Daphne Division (all); Robertsdales Division, except Tract 109, Enumeration District 0404T and Enumeration District 0404U and Enumeration District 0410. Stockton Division (all).

HOUSE DISTRICT 96 SHALL CONSIST OF: In Baldwin County: Bay Minette Division; Tract 103; Enumeration District 0392; Enumeration District 0396; Enumeration District 0398; Enumeration District 0399; Tract 104; Enumeration District 0391; Tract 105; Enumeration District 0395; Tract 106; Enumeration District 0397; In Mobile County: Mobile Division; Tract 38.02; Tract 38.99; Tract 47, except Block Group 2 in Prichard City and Block Group 3 in Prichard City. Tract 48, except Block Group 3 in Prichard City and Block Group 4 in Prichard City; Tract 50, except that portion of Tract 50 in Prichard City; Tract 51; Tract 52; Tract 53; Tract 54; Tract 55; Tract 56; Tract 57; Mount Vernon Division; Tract 58, except Enumeration District 0525 and Enumeration District 0527.

HOUSE DISTRICT 97 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 1; Tract 2; Tract 3, except Block Group 4 of Mobile City; Tract 9.03; Tract 10.01; Tract 10.02; Tract 11; Tract 12.02; Tract 12.99; Tract 13.01; Tract 13.02; Tract 14; Tract 15.01; Tract 15.02; Tract 16; Tract 17; Block Group 2 of Mobile City; Tract 18; Block Group 1 of Mobile City; Tract 23.01; Block Group 1 of Mobile City; Block Group 2 of Mobile City; Tract 23.02; Tract 24; Block Group 1 of Mobile City; Block Group 2 of Mobile City; Block Group 3 of Mobile City.

HOUSE DISTRICT 98 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 38.01; Tract 39.01; Tract 39.02; Tract 40; Tract 41; Tract 42; Tract 43; Tract 44; Tract 45; Tract 46; Tract 47; Block Group 2 of Prichard City; Block Group 3 of Prichard City; Tract 48; Block Group 3 of Prichard City; Block Group 4 of Prichard City; Tract 49; Tract 50 in Prichard City.

HOUSE DISTRICT 99 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 8; Block Group 4 in Mobile City; Tract 4.01; Tract 4.02; Tract 5; Tract 6; Tract 7.01; Tract 7.02; Tract 8; Tract 9.01; Block Group 1 in Mobile City; Tract 12.01; Tract 26; Tract 27; Block Group 1 in Mobile City; Block Group 5 in Mobile City.

HOUSE DISTRICT 100 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 27; Block Group 4 in Mobile City; Tract 28; Block Group 5 in Mobile City; Tract 29; Tract 30; Tract 31; Tract 32.01; Tract 32.02; Tract 33.01; Tract 33.02; Block Group 2 in Mobile City; Block Group 3 in Mobile City; Block Group 4 in Mobile City; Tract 37.01; Block Group 1 in Mobile City; Tract 37.02, except Block Group 3 in Mobile City.

HOUSE DISTRICT 101 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 32.03; Tract 33.02; Block Group 1 in Mobile City; Block Group 5 in Mobile City; Tract 34.01; Tract 34.02; Tract 34.03 in Mobile City except Block Group 1 in Mobile City, and Block Group 5 in Mobile City, and Block Group 9 in Mobile City; Tract 34.04; Tract 34.05; Tract 34.06; Tract 35.01; Tract 35.02; Tract 36.01; Tract 36.02; Tract 36.03; Tract 61; Block Group 2 in Mobile City; Block Group 2 outside of Mobile City.

HOUSE DISTRICT 102 SHALL CONSIST OF: In Mobile County: Mobile Division: Tract 9.01 except Block Group 1 in Mobile City; Tract 9.02; Tract 17 except Block Group 2 in Mobile City; Tract 18 except Block Group 1 in Mobile City; Tract 19.01; Tract 19.02; Tract 20; Tract 21; Tract 22; Tract 23.01; Block Group 3 in Mobile City; Tract 24 except Block Group 1 in Mobile

City, and Block Group 2 in Mobile City, and Block Group 3 in Mobile City; Tract 25.01; Tract 25.02; Tract 27; Block Group 2 in Mobile City; Block Group 3 in Mobile City; Tract 28 except Block Group 5 in Mobile City.

HOUSE DISTRICT 103 SHALL CONSIST OF: In Mobile County: Citronelle Division (all): Mobile Division: Tract 34.03; Block Group 1 in Mobile City; Block Group 5 in Mobile City; Block Group 9 in Mobile City; Tract 34.03 outside of Mobile City; Tract 61 except Block Group 2 in Mobile City, and Block Group 2 outside of Mobile City; Mount Vernon Division: Tract 58; Enumeration District 0525; Enumeration District 0527; Semmes Division: Tract 62; Tract 63.

HOUSE DISTRICT 104 SHALL CONSIST OF: In Mobile County: Mobile Division: Tract 37.01; Block Group 2 in Mobile City; Block Group 5 in Mobile City; Tract 37.02; Block Group 3 in Mobile City; Tract 68; Tanner-Williams Division; Tract 64; Theodore Division; Tract 69.

HOUSE DISTRICT 105 SHALL CONSIST OF: In Mobile County: Bayou LaBatre Division: Tract 72.01; Tract 72.02; Tract 72.99; Tract 73; Grand Bay Division: Tract 65; Tract 66; Tract 67; Theodore Division: Tract 70; Tract 71.

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the purpose of electing members of the House of Representatives of the Alabama Legislature as follows:

- District 1 House District Nos. 1, 2 and 3;
- District 2 House District Nos. 4, 5 and 6;
- District 3 House District Nos. 7, 8 and 9;
- District 4 House District Nos. 10, 11 and 12;
- District 5 House District Nos. 13, 14 and 15;
- District 6 House District Nos. 16, 17 and 18;
- District 7 House District Nos. 19, 20 and 21;
- District 8 House District Nos. 22, 23 and 24;
- District 9 House District Nos. 25, 26 and 27;
- District 10 House District Nos. 28, 29 and 30;
- District 11 House District Nos. 31, 32 and 33;
- District 12 House District Nos. 34, 35 and 36;
- District 13 House District Nos. 37, 38 and 39;
- District 14 House District Nos. 40, 41 and 42;
- District 15 House District Nos. 43, 44 and 45;
- District 16 House District Nos. 46, 47 and 48;
- District 17 House District Nos. 49, 50 and 51;
- District 18 House District Nos. 52, 53 and 54;

District 19 House District Nos. 55, 56 and 57;
 District 20 House District Nos. 58, 59 and 60;
 District 21 House District Nos. 61, 62 and 63;
 District 22 House District Nos. 64, 65 and 66;
 District 23 House District Nos. 67, 68 and 69;
 District 24 House District Nos. 70, 71 and 72;
 District 25 House District Nos. 73, 74 and 75;
 District 26 House District Nos. 76, 77 and 78;
 District 27 House District Nos. 79, 80 and 81;
 District 28 House District Nos. 82, 83 and 84;
 District 29 House District Nos. 85, 86 and 87;
 District 30 House District Nos. 88, 89 and 90;
 District 31 House District Nos. 91, 92 and 93;
 District 32 House District Nos. 94, 95 and 96;
 District 33 House District Nos. 97, 98 and 99;
 District 34 House District Nos. 100, 101 and 102;
 District 35 House District Nos. 103, 104 and 105.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE TABLED

On motion of Rep. Manley, the substitute No. 3 offered by Rep. Harrison to the bill, S. 1, was tabled.

Yeas 67; Nays 13.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

Nays:

Reps. Brakefield, Buskey, Clark (W), Escott, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Naramore, Tucker and Turner.

—13

LEAVE OF ABSENCE

At the request of Rep. Rains, leave of absence was granted for Rep. Stout.

S. 1 RESUMED

SUBSTITUTE OFFERED

Rep. Harrison offered the following substitute No. 4 to the bill, S. 1:

A BILL
TO BE ENTITLED
AN ACT

To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

Be It Enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Alabama Legislature shall consist of 105 members and each member shall reside in the district he represents. The state is hereby divided into 105 house districts as follows:

HOUSE DISTRICT 1 SHALL CONSIST OF: In Lauderdale County: Florence Division; Florence City (all).

HOUSE DISTRICT 2 SHALL CONSIST OF: In Lauderdale County: Cloverdale Division; Tract 114; Block Group 1 outside of town groups; Block Group 2 outside of town groups; Florence Division; St. Florian Town (all); Remainder of Florence Division; Killen Division (all); Lexington Division (all); Oakland Division (all); Rogersville Division (all).

HOUSE DISTRICT 3 SHALL CONSIST OF: In Colbert County: Leighton Division; Tract 208; Block Group 1 outside of town groupings; Enumeration District 0901; Enumeration District 0902T; Enumeration District 0902U; Tri-Cities Division (all).

HOUSE DISTRICT 4 SHALL CONSIST OF: In Colbert County: Cherokee Division (all); Leighton Division; Leighton Town (all); Tract 208; Enumeration District 0903; Enumeration District 0904T Enumeration District 0904U; Littleville Division (all); In Franklin County: Russellville Division except Enumeration District 0058 and Enumeration District 0059; In Lauderdale County: Cloverdale Division, except Tract 114, Block Group 1 outside of town groups and Block Group 2 outside of town groups; Waterloo Division.

HOUSE DISTRICT 5 SHALL CONSIST OF: In Franklin County: Phil Campbell Division (all); Red Bay Division (all); Russellville Division; Enumeration District 0058; Enumeration District 0059; Vina Division (all); In Lamar County: Sulligent Division; Detroit Town (all); Enumeration District 0006; In Lawrence County: Mount Hope Division; Enumeration District 0015; In Marion County: Bear Creek Division (all); Bexar Division (all); Hackleburg Division (all); Hamilton Division (all).

HOUSE DISTRICT 6 SHALL CONSIST OF: In Fayette County: Fayette Division; Fayette City (all); Enumeration District 0463A; Enumeration District 0465; North River Division (all); Russell Division (all); In Lamar County: Millport Division; Millport Town (all); Enumeration District 0016; Sulligent Division except Detroit Town and Enumeration District 0006; Vernon Division (all); In Marion County: Brilliant Division (all); Guin Division (all); Winfield Division (all).

HOUSE DISTRICT 7 SHALL CONSIST OF: Lawrence County except Mount Hope Division; Enumeration District 0015; In Morgan County: Danville Division (all); Decatur Division; Tract 0051: Block Group 6 of Decatur City; Block Group 6 outside of town groups; Enumeration District 0270.

HOUSE DISTRICT 8 SHALL CONSIST OF: In Morgan County: Decatur Division; Tract 1, Tract 2, Tract 4, Tract 5, Tract 6, Tract 7, Tract 8, Tract 9, Tract 10, Tract 51; Block Group 5 of Decatur City; Block Group 3 of Trinity Town; Block Group 4 of Trinity Town; Block Group 5 of Trinity Town; Block Group 1 outside of town groups; Block Group 2 outside of town groups; Block Group 3 outside of town groups; Block Group 4 outside of town groups; Block Group 5 outside of town groups.

HOUSE DISTRICT 9 SHALL CONSIST OF: In Morgan County: Decatur Division; Tract 3 in Decatur City; Tract 51; Block Group 7 of Decatur City; Block Group 8 of Decatur City; Block Group 9 of Decatur City; Block Group 7 of Flint City Town; Block Group 9 of Flint City Town; Block Group 7 outside of town groups; Block Group 8 outside of town groups; Block Group 9 outside of town groups; Eva Division excluding Tract 56, Enumeration District 0260; Falkville Division (all); Hartselle Division (all); Somerville Division, except Tract 54.02, Enumeration District 0258.

HOUSE DISTRICT 10 SHALL CONSIST OF: In Cullman County, except Baileyton-Joppa Division; Bremen Division, Enumeration District 0143; Crane Hill Division; Cullman Division, West Point Town; Hanceville Division, Garden City Town, Hanceville City, Enumeration District 0139; Jones Chapel Division; Logan Division; Vinemont Division, South Vinemont Town, West Point Town, Enumeration District 0110, Enumeration District 0111A, Enumeration District 0112, Enumeration District 0113.

HOUSE DISTRICT 11 SHALL CONSIST OF: In Blount County: Except Brooksville Division, Tract 504, Enumeration District 0776, Enumeration District 0779; Clarence Division; and Oneonta Division, Tract 501, Enumeration District 0800, Enumeration District 0801, Enumeration District 0804; In Cullman County: Baileyton-Joppa Division (all); Hanceville Division except Enumeration District 0140.

HOUSE DISTRICT 12 SHALL CONSIST OF: In Cullman County: Bremen Division; Enumeration District 0143; Crane Hill Division (all); Cullman Division; West Point Town (all); Jones Chapel Division (all); Logan Division (all); Vinemont Division except Enumeration District 0109; In Winston County: (all).

HOUSE DISTRICT 13 SHALL CONSIST OF: In Fayette County: Berry Division (all); Fayette Division; Enumeration District 0464; In Walker County: Carbon Hill Division (all); Cordova Division (all); Flat Creek-Wegra Division (all); Manchester Division (all); In Walker County: Nauvoo Division (all); Oakman Division (all); Parrish Division (all); Sipsey Division; Tract 208, Enumeration District 0852T; Townley Division (all).

HOUSE DISTRICT 14 SHALL CONSIST OF: In Walker County: Dora Division (all); Empire Division (all); Jasper Division (all); Sipsey Division except Tract 208, Enumeration District 0852T.

HOUSE DISTRICT 15 SHALL CONSIST OF: In Tuscaloosa County: Brookwood Division (all); Coaling-Vance Division; Tract 107; Enumeration District 0666T; Samantha Division (all); Tuscaloosa Division; Tract 104.02, Tract 108, Tract 121, Tract 122, Tract 123; Windham Springs Division (all).

HOUSE DISTRICT 16 SHALL CONSIST OF: In Limestone County, Excluding Tract 201; and Athens Division, Tract 202, Enumeration District 0681; and Tract 208, Enumeration District 0690T, and Enumeration District 0690U.

HOUSE DISTRICT 17 SHALL CONSIST OF: In Limestone County: Athens Division; Tract 201; Tract 202; Enumeration District 0681; Tract 208; Enumeration District 0690T; Enumeration District 0690U; In Madison County: Arsenal Division except Tract 111, Enumeration District 0541; Hazel Green Division; Tract 103; Enumeration District 0531; Huntsville Division; Tract 105; Tract 106; Tract 107; Block Group 2 outside of town groups; Enumeration District 0535; Enumeration District 0536; Madison Division (all); Madison Crosswoods Division, Triana-Blackwall Division (all).

HOUSE DISTRICT 18 SHALL CONSIST OF: In Madison County: Arsenal Division; Tract 111; Enumeration District 0541; Huntsville Division; Tract 12; Block Group 3 of Huntsville City; Tract 13; Tract 14 of Huntsville City; Tract 14 outside of Huntsville City; Tract 15, Tract 21, Tract 22, Tract 23, Tract 24, Tract 25.01, Tract 25.02; Tract 28.01; Block Group 9 of Huntsville City.

HOUSE DISTRICT 19 SHALL CONSIST OF: In Madison County: Huntsville Division; Tract 3.01, Tract 3.02, Tract 4.01, Tract 4.02, Tract 5.01, Tract 5.02, Tract 5.03, Tract 6.01, Tract 6.02, Tract 7.01, Tract 7.02, Tract 12; Block Group 1 of Huntsville City; Block Group 2 of Huntsville City.

HOUSE DISTRICT 20 SHALL CONSIST OF: In Madison County: Huntsville Division; Tract 1, Tract 2.01, Tract 2.02; Tract 8, Tract 9.01, Tract 9.02, Tract 10, Tract 11, Tract 16 except Block Group 1 of Huntsville City, Tract 17, Tract 18.01, Tract 18.02, Tract 107 except Block Group 2 outside of Huntsville City; Enumeration District 0535, Enumeration District 0536; Tract 108.

HOUSE DISTRICT 21 SHALL CONSIST OF: In Madison County: Huntsville Division; Tract 16; Block Group 1 of Huntsville City; Tract 19.01, Tract 19.02, Tract 19.03, Tract 20, Tract 26, Tract 27.01, Tract 27.02, Tract 28.01; Block Group 1 of Huntsville City; Block Group 2 of Huntsville City; Tract 28.02, Tract 29.01, Tract 29.02.

HOUSE DISTRICT 22 SHALL CONSIST OF: DeKalb County except Fort Payne Division, Fort Payne City, Enumeration District 0438; Henagar Division.

HOUSE DISTRICT 23 SHALL CONSIST OF: In DeKalb County: Henagar Division (all); In Jackson County except Bridgeport Division; Paint Rock Division; Princeton Division; Scottsboro Division, Enumeration District 0197; Stevenson Division.

HOUSE DISTRICT 24 SHALL CONSIST OF: In Calhoun County: Choccolocco Division; Tract 20; Block Group 1; Block Group 9; Piedmont Division; Tract 22; Enumeration District 0280A; Cherokee County (all); In Cleburne County: Fruithurst Division (all); Ranburne Division; Enumeration District 0059; In DeKalb County: Fort Payne Division except Enumeration District 0436 and Enumeration District 0437A.

HOUSE DISTRICT 25 SHALL CONSIST OF: In Marshall County: Albertville-Boaz Division (all); Douglas Division except Tract 310, Enumeration District 0824; Grant Division (all); Guntersville Division; Albertville City (all); Tract 307; Enumeration District 0803C; Enumeration District 0803D; Town Creek Division (all).

HOUSE DISTRICT 26 SHALL CONSIST OF: Marshall County except Albertville-Boaz Division; Douglas Division, Place 507; Tract 310, Enumeration District 0822, Enumeration District 0823A; Grant Division; Guntersville Division, Albertville City, Tract 307, Enumeration District 0803C, Enumeration District 0803D; and Town Creek Division; In Morgan County: Eva Division; Tract 56; Enumeration District 0260; Laceys Spring Division (all); Somerville Division; Tract 54.02; Enumeration District 0258.

HOUSE DISTRICT 27 SHALL CONSIST OF: In Jackson County: Bridgeport Division (all); Paint Rock Division (all); Princeton Division (all); Scottsboro Division; Enumeration District 0197; Stevenson Division (all); In Madison County: Gurley Division; Tract 109; Hazel Green Division; Tract 103; Enumeration District 0529; Enumeration District 0530; New Hope Division; Tract 113, Tract 114; New Market Division; Tract 101, Tract 102.

HOUSE DISTRICT 28 SHALL CONSIST OF: In Etowah County: Gadsden Division; Tract 11 in Rainbow City, Tract 13, Tract 14, Tract 15, Tract 16, Tract 17, Tract 101 except Block Group 2 of Attalla City, Tract 102 except Block Group 2 of Attalla City, Tract 103; Block Group 2 outside of town groupings; Tract 104, Tract 105.

HOUSE DISTRICT 29 SHALL CONSIST OF: In Etowah County: Gadsden Division; Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, Tract 6, Tract 7, Tract 8, Tract 9, Tract 10, Tract 11, excluding portion in Rainbow City, Tract 12, Tract 101; Block Group 2 of Attalla City; Tract 102; Block Group 2 of Attalla City.

HOUSE DISTRICT 30 SHALL CONSIST OF: In Blount County: Brooksville Division; Tract 504; Enumeration District 0776; Enumeration District 0779; Clarence Division (all); Oneonta Division; Tract 501; Enumeration District 0800; Enumeration District 0801; Enumeration District 0804; In Etowah County: Altoona Division (all); Gasden Division; Tract 103, excluding Block Group 2 outside of town groups; Hokes Bluff Division (all); Lookout Mountain Division (all); Mountainboro Division (all); Turkeytown Division (all); Wills Valley Division (all).

HOUSE DISTRICT 31 SHALL CONSIST OF: In Jefferson County: Tract 111.03; Tract 112.05; Block Group 1; Blocks 111, 112, 130, 135, 150, 152, 154, 156, 157, and 165; Tract 112.06; Tract 113; Tract 117.06; Tract 119.01; Tract 120.02; Block Group 1; Block Group 2; Blocks 209, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 225, 226, and 227; Block Group 3; Block Group 4; Block Group 6; Block Group 8; Block Group 9; Blocks 949 and 950; Tract 117.05; Tract 117.03; Tract 117.04; Block Group 1; Blocks 104, 105, 106, 108, 109, 111, and 112.

HOUSE DISTRICT 32 SHALL CONSIST OF: In Jefferson County: Tract 111.05; Block Group 1; Block Group 2, excluding Blocks 228-250, 203-205, and 211; Tract 118.01, excluding Block Group 5; Tract 111.04; Tract 118.02; Tract 112.03; Tract 112.04; Tract 112.05, excluding Block Group 1, Blocks 111, 112, 130, 135, 150, 152, 153, 154, 156, 157, and 165.

HOUSE DISTRICT 33 SHALL CONSIST OF: In Jefferson County: Tract 124.02; Block Group 4, excluding Blocks 411, 412, 413, 425, and 426; Block

Group 5; Tract 124.03; Tract 123.02; Enumeration District 115; Enumeration District 116; Block Group 5; Block Group 9; Tract 121.04; Tract 115; Tract 116; Tract 120.01; Block Group 7; Tract 117.04, excluding Block Group 1, Blocks 104, 105, 106, 108, 109, 111, and 112; Tract 114; Tract 121.03; Tract 122.

HOUSE DISTRICT 34 SHALL CONSIST OF: In Jefferson County: Tract 1; Tract 20; Tract 21; Tract 53.02; Tract 59.05; Tract 59.03; Tract 59.04; Tract 59.06; Tract 118.01; Block Group 5.

HOUSE DISTRICT 35 SHALL CONSIST OF: In Jefferson County: Tract 47.02; Tract 23.05; Tract 23.06; Tract 108.01; Tract 56; Tract 108.03; Block Group 1; Tract 127.01; Tract 126.02; Tract 110; Block Group 1; Block Group 2, excluding Blocks 208, 210, 212, 226, 227, 228, 229, 230, 233, 234, 235, and 266; Tract 126.01; Tract 111.05; Block Group 2; Blocks 203-205, 211, 213, and 228-250; Block Group 3; Block Group 9; Tract 108.01; Block Group 3; Blocks 318, 319, 320, 322, 329, 330, 332, 333, 334, 335, 336, and 353.

HOUSE DISTRICT 36 SHALL CONSIST OF: In Jefferson County: Tract 109; Tract 119.03; Tract 119.02; Tract 19.01; Tract 18.02; Tract 18.01; Tract 23.03; Tract 23.04; Tract 5; Block Group 3; Blocks 315, 320, 321; Block Group 4; Tract 53.01; Tract 2; Tract 19.02; Tract 24; Tract 3; Tract 22; Tract 109.

HOUSE DISTRICT 37 SHALL CONSIST OF: In Jefferson County: Tract 130.01; Tract 130.02; Tract 57.02; Tract 52.00; Tract 38.03; Tract 38.02, excluding Block Group 6, Blocks 624, 627, 630, and 631; and Block Group 8; Tract 40, excluding Block Group 1, Blocks 104, 106, 120, and 121; Tract 37; Block Group 2; Block Group 3; Tract 39; Block Group 1; Block Group 3.

HOUSE DISTRICT 38 SHALL CONSIST OF: In Jefferson County: Tract 51.01; Tract 51.02; Tract 42.00; Tract 44.00; Tract 41.00; Tract 50.00; Tract 49.00, excluding Block Group 1; Block Group 2, Block Group 3; Block Group 4, Blocks 401, 402, and 403; and Block Group 8, Blocks 818 and 819; Tract 58; Block Group 9; Blocks 908, 909, 910, 911, and 916; Tract 40; Block Group 1; Blocks 104, 106, 120, and 121; Tract 28.01; Tract 28.02; Tract 29; Tract 30.02.

HOUSE DISTRICT 39 SHALL CONSIST OF: In Jefferson County: Tract 137.00; Tract 133.00; Tract 105.00; Tract 136.01; Tract 131.00; Tract 57.01; Tract 132.00; Block Group 1; Block Group 2; Tract 106.02; Tract 106.01; Tract 38.01; Tract 132; Block Group 3; Block Group 4; Tract 36; Block Group 7; Tract 38.02; Block Group 6; Blocks 624, 627, 630, and 631; Block Group 8.

HOUSE DISTRICT 40 SHALL CONSIST OF: In Jefferson County: Tract 36, excluding Block Group 7; Tract 37; Block Group 4; Block Group 6; Tract 34; Tract 106.03; Tract 134; Tract 135; Tract 35; Tract 123.01, excluding Block Group 5, Blocks 513 (outside City portion) and 550; and Block Group 7; Tract 125; Tract 124.02; Block Group 1; Block Group 2; Blocks 216, 221, and 222; Block Group 4; Blocks 411, 412, 413, 425, and 426; Block Group 9.

HOUSE DISTRICT 41 SHALL CONSIST OF: In Jefferson County: Tract 104.02; Tract 141.05; Tract 142.03, excluding Enumeration District 126 and Block Group 1, Blocks 115, 116, 117, 118, 119, 122, 123, 124, 125, 127, 130, and 131; Tract 141.03; Tract 141.02; Tract 140; Tract 138.01; Block Group 7; Tract 100.02; Tract 100.01; Tract 139.02; Tract 123.02; Enumeration District 117; Enumeration District 118; Block Group 1; Block Group 8; Tract 143.01; Block Group 4; Block Group 6; Blocks 601 and 604.

HOUSE DISTRICT 42 SHALL CONSIST OF: In Jefferson County: Tract 141.04; Tract 104.01; Tract 103.02; Tract 102; Tract 138.01, excluding Block Group 7; Tract 101; Tract 138.02; Tract 139.01; Tract 143.01, excluding Block

Group 4 and Block Group 6, Blocks 601 and 604; Tract 123.01; Block Group 5; Blocks 513 (outside city portion) and 550; Block Group 7; Tract 136.02; Tract 103.01; Block Group 5; Block Group 6; Block Group 7; Tract 143.02; Block Group 9; Blocks 901, 909, and 910.

HOUSE DISTRICT 43 SHALL CONSIST OF: In Jefferson County: Tract 32; Tract 33; Tract 31; Tract 30.01; Tract 11; Tract 12; Tract 124.01; Tract 39, excluding Block Group 1 and Block Group 3; Tract 37; Block Group 1; Block Group 5; Tract 124.02; Block Group 2; Blocks 204-207, 211, and 223-228; Tract 39; Block Group 1; Block Group 3; Tract 10, excluding Block Group 4, Blocks 411, 412, 413, and 423.

HOUSE DISTRICT 44 SHALL CONSIST OF: In Jefferson County: Tract 14; Tract 15; Tract 16; Tract 47.03; Tract 47.01; Tract 46; Tract 27; Tract 45; Tract 26.02; Tract 26.01; Tract 48, excluding Block Group 2 and Block Group 3; Tract 25; Tract 17; Tract 6; Tract 7; Block Group 2; Blocks 221, 222, 223, and 224; Block Group 3; Tract 49; Block Group 1; Block Group 2; Block 205; Block Group 4; Blocks 401, 402, and 403; Block Group 8; Blocks 818 and 819.

HOUSE DISTRICT 45 SHALL CONSIST OF: In Jefferson County: Tract 8; Tract 55; Tract 4; Tract 10; Block Group 4; Blocks 411, 412, 413, and 423; Tract 9; Tract 120.02; Block Group 2, excluding Blocks 209, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, and 227; Block Group 5; Block Group 9, excluding Blocks 949, 950, and 951; Tract 7, excluding Block Group 2, Blocks 221, 222, 223, and 224; and Block Group 3; Tract 120.01; Block Group 6; Block Group 9; Tract 54; Tract 5; Block Group 1; Block Group 2; Block Group 3, excluding Blocks 315, 320, 321; Block Group 5; Block Group 6.

HOUSE DISTRICT 46 SHALL CONSIST OF: In Tuscaloosa County: Tuscaloosa Division; Tract 104.01; Tract 105; Tract 109; Tract 110; Tract 111; Tract 112; Tract 113; Tract 114; Tract 115; Tract 116; Tract 120.

HOUSE DISTRICT 47 SHALL CONSIST OF: In Tuscaloosa County: Big Sandy-Duncanville Division; Moundville Town (all); Tract 107; Block Group 1 outside of town groups; Enumeration District 0668; Enumeration District 0669; Fosters Division, Excluding Tract 103, Enumeration District 0670; Tuscaloosa Division; Tract 117; Tract 118; Tract 119; Tract 124; Tract 125.

HOUSE DISTRICT 48 SHALL CONSIST OF: In Fayette County: Fayette Division; Belk Town (all); Enumeration District 0466; Enumeration District 0467; In Lamar County: Millport Division; Kennedy Town (all); Enumeration District 0015; In Pickens County: Aliceville Division; Enumeration District 0570; Carrollton Division; Carrollton Town (all); Enumeration District 0563; Ethelsville Division (all); Gordo Division (all); Reform Division (all); In Tuscaloosa County: Coker Division (all); Elrod-Moores Bridge-Echola Division (all); Fosters Division; Tract 103; Enumeration District 0670; Tuscaloosa Division; Tract 102.

HOUSE DISTRICT 49 SHALL CONSIST OF: In Jefferson County: Tract 143.02, excluding Block Group 9, Blocks 901, 909, and 910; Tract 107.06; Tract 58, excluding Block Group 9, Blocks 908-911, and 916; Tract 107.01; Tract 107.02; Tract 107.03; Tract 107.04; Tract 107.05; Tract 144.03; Tract 144.01; Block Group 1, excluding Blocks 109, 110, 111, 112, 113, 114, 140, and 141; Tract 129.01; Block Group 2; Tract 49; Block Group 2; Blocks 207, 208, 209, 210, 232, 235, and 236; Block Group 3; Tract 48; Block Group 2; Block Group 3; Tract 108.01; Block Group 3; Blocks 318, 319, 320, 322, 329, 330, 332, 333, 334, 335, 336, and 353; Tract 108.02; Block Group 4; Blocks 402,

409, 410, 418, 419, 426, 427, 428, 429, 431, 462, and 463; Tract 142.04; Block Group 1; Blocks 101, 102, 103, 105, 106, and 109; Block Group 9; Blocks 925 and 949.

HOUSE DISTRICT 50 SHALL CONSIST OF: In Jefferson County: Tract 129.02; Block Group 1; Block Group 2; Tract 129.03; Tract 128.01; Tract 108.03; Block Group 5; Tract 108.02, excluding Block Group 4, Blocks 402, 409, 410, 418, 419, 426, 427, 428, 429, 431, 462, and 463; Tract 108.04; Tract 108.05; Tract 128.02; Tract 127.02; Tract 110; Block Group 2; Blocks 208, 210, 212, 226-230, 233-235, 238-245, 251, and 252; Block Group 3; Block Group 4; Block Group 5.

HOUSE DISTRICT 51 SHALL CONSIST OF: In Jefferson County: Tract 144.01; Block Group 1; Blocks 109-114, 140; Block Group 2; Block Group 3; Tract 129.01; Block Group 3; Tract 144.02; Tract 129.04; Tract 129.02; Block Group 4.

HOUSE DISTRICT 52 SHALL CONSIST OF: In Talladega County: Lincoln-Eastaboga Division (all); Munford Division (all); Renfroe-Lanier Division; Tract 112; Enumeration District 0668; Talladega Division (all).

HOUSE DISTRICT 53 SHALL CONSIST OF: In Chilton County: Clanton Division, except Tract 601, Enumeration District 0515U and Enumeration District 0516; Mineral Springs Division (all); Verbena Division; Tract 607; Enumeration District 0519; In Clay County (all); In Coosa County (all).

HOUSE DISTRICT 54 SHALL CONSIST OF: In Talladega County: Childersburg Division (all); Renfroe-Lanier Division, except Tract 112, Enumeration District 0668; Sycamore-Winterboro Division (all); Sylacauga Division (all).

HOUSE DISTRICT 55 SHALL CONSIST OF: In St. Clair County, except Moody Division, Tract 401, Enumeration District 0891; and Pell City Division, Tract 402, Enumeration District 0881 and Enumeration District 0882 and Enumeration District 0885, and Enumeration District 0886.

HOUSE DISTRICT 56 SHALL CONSIST OF: In St. Clair County: Moody Division; Tract 401; Enumeration District 0891; Pell City Division; Tract 402; Enumeration District 0881; Enumeration District 0882; Enumeration District 0885; Enumeration District 0886; In Shelby County, except Alabaster-Helena Division.

HOUSE DISTRICT 57 SHALL CONSIST OF: In Jefferson County: Tract 142.02 outside of town groups; Tract 142.03; Enumeration District 126; Block Group 1; Blocks 115, 116, 117, 118, 119, 122, 123, 124, 125, 127, 130, and 131; Tract 142.04, excluding Block Group 1, Blocks 101, 102, 103, 105, 106, 107, and 109; and Block Group 9, Blocks 925 and 949; In Shelby County: Alabaster-Helena Division (all).

HOUSE DISTRICT 58 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 11; Block Group 5 outside of town groups; Tract 12; Tract 13; Tract 14; Tract 15; Tract 16; Tract 17; Ohatchee Division; Tract 26; Websters Chapel-Alexandria Valley Division; Tract 25; Block Group 5 outside of town groups; Enumeration District 0284A; Enumeration District 0285; Enumeration District 0286; Enumeration District 0287.

HOUSE DISTRICT 59 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 1; Tract 2; Tract 3; Tract 4; Tract 5; Tract 6; Tract 7; Tract 8; Tract 9; Tract 10, except that portion of Tract 10 outside of town groups; Tract 11, except Block Group 5 outside of town groups.

HOUSE DISTRICT 60 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 18; Tract 19; Jacksonville Division (all); Piedmont Division, except Tract 22, Enumeration District 0280A; Websters Chapel-Alexandria Valley Division; Tract 25; Block Group 3 of Glencoe City; Block Group 1 outside of town groups; Block Group 2 outside of town groups; Block Group 3 outside of town groups; Block Group 4 outside of town groups.

HOUSE DISTRICT 61 SHALL CONSIST OF: In Calhoun County: Aniston Division; Tract 10 outside of town groups; Choccolocco Division; Tract 20; Block Group 2 outside of town groups; Block Group 3 outside of town groups; Enumeration District 0298; Enumeration District 0299; Enumeration District 0300; Enumeration District 0301; Enumeration District 0302; Enumeration District 0303; In Chambers County: Five Points Division (all); Milltown Division (all); In Cleburne County, except Fruithurst Division and Ranburne Division, Enumeration District 0059; In Randolph County: (all).

HOUSE DISTRICT 62 SHALL CONSIST OF: In Tallapoosa County, except Camp Hill Division, Enumeration District 0187; and Dadeville Division, Enumeration District 1083D.

HOUSE DISTRICT 63 SHALL CONSIST OF: In Chambers County, except Five Points Division and Milltown Division; In Tallapoosa County, Camp Hill Division; Enumeration District 0187; Dadeville Division; Enumeration District 0183D.

HOUSE DISTRICT 64 SHALL CONSIST OF: In Lee County; Auburn-Opelika Division; Auburn City (all); Tract 404 outside of town groupings; Tract 405 outside of town groupings; Tract 406 outside of town groupings; Tract 409 outside of town groupings; Beauregard-Marvyn Division, except Tract 421, Enumeration District 0536; Loachapoka-Roxana Division (all).

HOUSE DISTRICT 65 SHALL CONSIST OF: In Lee County: Auburn-Opelika Division; Opelika City (all); Tract 411 outside of Opelika City; Tract 412 outside of Opelika City; Tract 417 outside of Opelika City; Beulah Division (all); Smiths-Salem Division (all).

HOUSE DISTRICT 66 SHALL CONSIST OF: In Lee County: Beauregard-Marvyn Division; Tract 421; Enumeration District 0536; In Russell County, except Tract 309.02; Cottonton-Seale Division, Tract 312, Enumeration District 0384, and Enumeration District 0385, and Enumeration District 0386; Hurtsboro Division; and Phenix City Division, Tract 308, Block Group 1 in Phenix City and Block Group 6 in Phenix City and Block Group 6 outside of Phenix City.

HOUSE DISTRICT 67 SHALL CONSIST OF: In Bullock County (all); In Macon County (all).

HOUSE DISTRICT 68 SHALL CONSIST OF: In Barbour County, excluding Bakerhill Division; and Eufaula Division, Eufaula City and Enumeration District 0326A; In Pike County; Banks-Josie Division (all); Brundidge Division (all); Troy Division (all); In Russell County; Cottonton-Seale Division; Tract 312; Enumeration District 0384; Hurtsboro Division (all).

HOUSE DISTRICT 69 SHALL CONSIST OF: In Crenshaw County (all); In Montgomery County; Hope Hull Division, outside of Montgomery City (all); Montgomery Division; Tract 54.01 outside of Montgomery City; Tract 60.01 outside of Montgomery City; Mount Meigs Division (all); Pike Road Division, outside of Montgomery City; Pine Level Division (all); Ramer Division (all); In Pike County, excluding Banks-Josie Division, Brundidge Division, and Troy Division.

HOUSE DISTRICT 70 SHALL CONSIST OF: In Houston County, excluding; Tract 401, Tract 402, Tract 403, Tract 404, Tract 405, Tract 406, Tract 407, Tract 408, Tract 411, Tract 421.

HOUSE DISTRICT 71 SHALL CONSIST OF: In Houston County; Dothan Division; Tract 401; Tract 402; Tract 403; Tract 404; Tract 405; Tract 406; Tract 407; Tract 408; Tract 411; Madrid Division; Tract 421.

HOUSE DISTRICT 72 SHALL CONSIST OF: In Barbour County; Bakerhill Division (all); Eufaula Division; Eufaula City (all); Enumeration District 0326A; In Henry County (all); In Russell County; Cottonton-Seale Division; Tract 312; Enumeration District 0385; Enumeration District 0386; Phenix City Division; Tract 308; Block Group 1 in Phenix City; Block Group 6 in Phenix City; Block Group 6 outside of Phenix City; Tract 309.02.

HOUSE DISTRICT 73 SHALL CONSIST OF: In Coffee County; Enterprise Division; Tract 103; Enumeration District 2063; Tract 108; Enumeration District 0264; Tract 109; Enumeration District 0268; Goodman Division (all); In Dale County; Daleville Division (all); In Geneva County (all).

HOUSE DISTRICT 74 SHALL CONSIST OF: In Coffee County, excluding Enterprise Division, Tract 103, Enumeration District 0263; Tract 108, Enumeration District 0264; and Tract 109, Enumeration District 0268; and Goodman Division (all); In Dale County; Ozark Division; Arifton Town (all); Tract 201; Enumeration District 0655A.

HOUSE DISTRICT 75 SHALL CONSIST OF: In Dale County, excluding Daleville Division and Ozark Division, Arifton Town and Tract 201, Enumeration District 0655A.

HOUSE DISTRICT 76 SHALL CONSIST OF: In Montgomery County; Montgomery Division; Tract 3; Block Group 1 of Montgomery City; Tract 4, excluding all of Block Group 8 except Block 823; Tract 5; Tract 15; Blocks 111-113 and 118-122 of Montgomery City; Block Group 2 of Montgomery City; Blocks 301-308 of Montgomery City; Tract 16; Tract 17; Tract 18; Tract 25; Tract 33; Tract 51.03; Tract 53.01.

HOUSE DISTRICT 77 SHALL CONSIST OF: In Montgomery County; Montgomery Division; Tract 1; Tract 2; Tract 3, excluding Block Group 1 of Montgomery City; Tract 4; Block Group 8 except Block 823 of Montgomery City; Tract 6; Tract 7; Tract 12; Tract 13, excluding Block Group 1 and Block Group 2 of Montgomery City; Tract 14; Blocks 103-107, 415-418, and 501-507 of Montgomery City; Tract 15, excluding Blocks 111-113 and 118-122; Block Group 2; and Blocks 301-308, all of Montgomery City; Tract 22, excluding Block Group 1 and Block Group 2; Tract 23, excluding Block Group 1 (all); Block Group 4, Blocks 415, 416, and 418; and all of Block Group 5 except Blocks 505, 506, and 507; Tract 51.02, excluding Block Group 1; Enumeration District 1093.

HOUSE DISTRICT 78 SHALL CONSIST OF: In Montgomery County; Hope Hull Division; Tract 59.01 in Montgomery City; Tract 59.02; Montgomery Division; Tract 9; Tract 10; Tract 11; Tract 23; Block Group 1 (all); Block Group 4; Blocks 415, 416, and 418; Block Group 5, excluding Blocks 505, 506, and 507; Tract 24; Tract 30; Tract 60.01 in Montgomery City; Tract 60.02.

HOUSE DISTRICT 79 SHALL CONSIST OF: In Elmore County; Elmore Division; Tract 104; Enumeration District 0972; Enumeration District 0974; Enumeration District 0975; Enumeration District 0977; Enumeration District 0978; Enumeration District 0979; In Montgomery County; Montgomery

Division; Tract 19; Tract 26; Tract 27; Tract 51.01; Tract 51.02; Block Group 1; Tract 53.02; Tract 54.01; Block Group 1; Tract 54.02; Tract 54.03; Tract 54.04; Tract 54.05; Tract 56.02; Tract 56.03; Blocks 902, 903, 934, and 945-951; Pike Road Division; Tract 56.01 in Montgomery City.

HOUSE DISTRICT 80 SHALL CONSIST OF: In Montgomery County; Montgomery Division; Tract 13, excluding Block Group 3 and 4 of Montgomery City; Tract 14, excluding Blocks 103-107, 415-418, and 501-507 of Montgomery City; Tract 20; Tract 21; Tract 22, excluding Block Groups 3, 4, 5, 6, 7, 8, and 9; Tract 28; Tract 29; Tract 31; Tract 32; Tract 56.03, excluding Blocks 902, 903, and 945-951.

HOUSE DISTRICT 81 SHALL CONSIST OF: In Elmore County, excluding Elmore Division; Tract 104, Enumeration District 0972, and Enumeration District 0974, and Enumeration District 0975, and Enumeration District 0977, and Enumeration District 0978, and Enumeration District 0979.

HOUSE DISTRICT 82 SHALL CONSIST OF: In Autauga County (all); In Chilton County; Clanton Division; Tract 601; Enumeration District 0515U; Enumeration District 0516; Verbena Division; Tract 607; Enumeration District 0520; Enumeration District 0521.

HOUSE DISTRICT 83 SHALL CONSIST OF: Bibb County (all); In Chilton County: Isabella-Pletcher Division (all); Jemison Division (all); Maplesville Division (all); In Tuscaloosa County: Abernant Division (all); Big Sandy-Duncanville Division; Tract 107; Enumeration District 0674T; Enumeration District 0674U; Coaling-Vance Division except Tract 107, Enumeration District 0666T.

HOUSE DISTRICT 84 SHALL CONSIST OF: In Dallas County: Selma Division (all).

HOUSE DISTRICT 85 SHALL CONSIST OF: In Dallas County: Craig-Tyler Division (all); Sardis Division; Enumeration District 0061; Enumeration District 0062; In Lowndes County (all); In Wilcox County (all).

HOUSE DISTRICT 86 SHALL CONSIST OF: In Dallas County except Craig-Tyler Division; Sardis Division, Enumeration District 0061, Enumeration District 0062; and Selma Division; In Hale County except Stewart-Akron Division; In Perry County (all).

HOUSE DISTRICT 87 SHALL CONSIST OF: Greene County (all); In Hale County: Stewart-Akron Division (all); In Pickens County: Aliceville Division except Enumeration District 0570; Carrollton Division; Pickensville Town (all); Enumeration District 0564; Raleigh Division (all); In Sumter County.

HOUSE DISTRICT 88 SHALL CONSIST OF: In Choctaw County: Gilbertown-Toxey Division except Enumeration District 0338T, and Enumeration District 0338U; Silas Division (all); In Clark County: Coffeetown Division (all); Fulton Division (all); Grove Hill Division except Enumeration District 0066; Thomasville Division (all); In Washington County.

HOUSE DISTRICT 89 SHALL CONSIST OF: In Choctaw County: Butler Division (all); Gilbertown-Toxey Division; Enumeration District 0338T; Enumeration District 0338U; Lisman Division (all); In Marengo County (all).

HOUSE DISTRICT 90 SHALL CONSIST OF: In Clarke County: Grove Hill Division; Enumeration District 0066; Jackson Northwest Division (all);

Jackson Southeast Division (all); In Conecuh County: Repton Division (all); In Monroe County (all).

HOUSE DISTRICT 91 SHALL CONSIST OF: In Escambia County except Brewton Division, Enumeration District 0236.

HOUSE DISTRICT 92 SHALL CONSIST OF: In Butler County (all); In Conecuh County except Repton Division; In Escambia County: Brewton Division; Enumeration District 0236.

HOUSE DISTRICT 93 SHALL CONSIST OF: In Covington County (all).

HOUSE DISTRICT 94 SHALL CONSIST OF: In Baldwin County: Elberta Division (all); Fairhope Division (all); Foley Division (all); Robertsdale Division; Robertsdale City (all); Tract 109; Enumeration District 0410; Summerdale Division (all).

HOUSE DISTRICT 95 SHALL CONSIST OF: In Baldwin County: Bay Minette Division, except Tract 103, Enumeration District 0392 and Enumeration District 0396 and Enumeration District 0398 and Enumeration District 0399; Tract 104, Enumeration District 0391; Tract 105, Enumeration District 0395; and Tract 106, Enumeration District 0397. Daphne Division (all); Robertsdale Division, except Tract 109, Enumeration District 0404T and Enumeration District 0404U and Enumeration District 0410. Stockton Division (all).

HOUSE DISTRICT 96 SHALL CONSIST OF: In Baldwin County: Bay Minette Division; Tract 103; Enumeration District 0392; Enumeration District 0396; Enumeration District 0398; Enumeration District 0399; Tract 104; Enumeration District 0391; Tract 105; Enumeration District 0395; Tract 106; Enumeration District 0397; In Mobile County: Mobile Division; Tract 38.02; Tract 38.99; Tract 47, except Block Group 2 in Prichard City and Block Group 3 in Prichard City. Tract 48, except Block Group 3 in Prichard City and Block Group 4 in Prichard City; Tract 50, except that portion of Tract 50 in Prichard City; Tract 51; Tract 52; Tract 53; Tract 54; Tract 55; Tract 56; Tract 57; Mount Vernon Division; Tract 58, except Enumeration District 0525 and Enumeration District 0527.

HOUSE DISTRICT 97 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 1; Tract 2; Tract 3, except Block Group 4 of Mobile City; Tract 9.03; Tract 10.01; Tract 10.02; Tract 11; Tract 12.02; Tract 12.99; Tract 13.01; Tract 13.02; Tract 14; Tract 15.01; Tract 15.02; Tract 16; Tract 17; Block Group 2 of Mobile City; Tract 18; Block Group 1 of Mobile City; Tract 23.01; Block Group 1 of Mobile City; Block Group 2 of Mobile City; Tract 23.02; Tract 24; Block Group 1 of Mobile City; Block Group 2 of Mobile City; Block Group 3 of Mobile City.

HOUSE DISTRICT 98 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 38.01; Tract 39.01; Tract 39.02; Tract 40; Tract 41; Tract 42; Tract 43; Tract 44; Tract 45; Tract 46; Tract 47; Block Group 2 of Prichard City; Block Group 3 of Prichard City; Tract 48; Block Group 3 of Prichard City; Block Group 4 of Prichard City; Tract 49; Tract 50 in Prichard City.

HOUSE DISTRICT 99 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 3; Block Group 4 in Mobile City; Tract 4.01; Tract 4.02; Tract 5; Tract 6; Tract 7.01; Tract 7.02; Tract 8; Tract 9.01; Block Group 1 in Mobile City; Tract 12.01; Tract 26; Tract 27; Block Group 1 in Mobile City; Block Group 5 in Mobile City.

HOUSE DISTRICT 100 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 27; Block Group 4 in Mobile City; Tract 28; Block

Group 5 in Mobile City; Tract 29; Tract 30; Tract 31; Tract 32.01; Tract 32.02; Tract 33.01; Tract 33.02; Block Group 2 in Mobile City; Block Group 3 in Mobile City; Block Group 4 in Mobile City; Tract 37.01; Block Group 1 in Mobile City; Tract 37.02, except Block Group 3 in Mobile City.

HOUSE DISTRICT 101 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 32.03; Tract 33.02; Block Group 1 in Mobile City; Block Group 5 in Mobile City; Tract 34.01; Tract 34.02; Tract 34.03 in Mobile City except Block Group 1 in Mobile City, and Block Group 5 in Mobile City, and Block Group 9 in Mobile City; Tract 34.04; Tract 34.05; Tract 34.06; Tract 35.01; Tract 35.02; Tract 36.01; Tract 36.02; Tract 36.03; Tract 61; Block Group 2 in Mobile City; Block Group 2 outside of Mobile City.

HOUSE DISTRICT 102 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 9.01 except Block Group 1 in Mobile City; Tract 9.02; Tract 17 except Block Group 2 in Mobile City; Tract 18 except Block Group 1 in Mobile City; Tract 19.01; Tract 19.02; Tract 20; Tract 21; Tract 22; Tract 23.01; Block Group 3 in Mobile City; Tract 24 except Block Group 1 in Mobile City, and Block Group 2 in Mobile City, and Block Group 3 in Mobile City; Tract 25.01; Tract 25.02; Tract 27; Block Group 2 in Mobile City; Block Group 3 in Mobile City; Tract 28 except Block Group 5 in Mobile City.

HOUSE DISTRICT 103 SHALL CONSIST OF: In Mobile County: Citronelle Division (all); Mobile Division; Tract 34.03; Block Group 1 in Mobile City; Block Group 5 in Mobile City; Block Group 9 in Mobile City; Tract 34.03 outside of Mobile City; Tract 61 except Block Group 2 in Mobile City, and Block Group 2 outside of Mobile City; Mount Vernon Division; Tract 58; Enumeration District 0525; Enumeration District 0527; Semmes Division; Tract 62; Tract 63.

HOUSE DISTRICT 104 SHALL CONSIST OF: In Mobile County: Mobile Division; Tract 37.01; Block Group 2 in Mobile City; Block Group 5 in Mobile City; Tract 37.02; Block Group 3 in Mobile City; Tract 68; Tanner-Williams Division; Tract 64; Theodore Division; Tract 69.

HOUSE DISTRICT 105 SHALL CONSIST OF: In Mobile County: Bayou LaBatre Division; Tract 72.01; Tract 72.02; Tract 72.99; Tract 73; Grand Bay Division; Tract 65; Tract 66; Tract 67; Theodore Division; Tract 70; Tract 71.

Section 2. The Senate of the Alabama Legislature shall consist of 35 members and the state is hereby divided into 35 senatorial districts for the election of one senator from each district at-large. Each senator shall reside in the district he represents. Each senatorial district shall be composed of districts into which the state is divided by Section 1 of this Act for the purpose of electing members of the House of Representatives of the Alabama Legislature as follows:

District 1, House District Nos. 1, 2 and 3; District 2, House District Nos. 4, 5 and 6; District 3, House District Nos. 7, 8 and 9; District 4, House District Nos. 10, 11 and 12; District 5, House District Nos. 13, 14 and 15; District 6, House District Nos. 16, 17 and 18; District 7, House District Nos. 19, 20 and 21; District 8, House District Nos. 22, 23 and 24; District 9, House District Nos. 25, 26 and 27; District 10, House District Nos. 28, 29 and 30; District 11, House District Nos. 31, 32 and 33; District 12, House District Nos. 34, 35 and 36; District 13, House District Nos. 37, 38 and 39; District 14, House District Nos. 40, 41 and 42; District 15, House District Nos. 43, 44 and 45; District 16, House District Nos. 46, 47 and 48; District 17, House District Nos. 49, 50 and 51; District 18, House District Nos. 52, 53 and 54; District 19, House District Nos. 55, 56 and 57; District 20, House District Nos. 58, 59 and 60;

District 21, House District Nos. 61, 62 and 63; District 22, House District Nos. 64, 65 and 66; District 23, House District Nos. 67, 68 and 69; District 24, House District Nos. 70, 71 and 72; District 25, House District Nos. 73, 74 and 75; District 26, House District Nos. 76, 77 and 78; District 27, House District Nos. 79, 80 and 81; District 28, House District Nos. 82, 83 and 84; District 29, House District Nos. 85, 86 and 87; District 30, House District Nos. 88, 89 and 90; District 31, House District Nos. 91, 92 and 93; District 32, House District Nos. 94, 95 and 96; District 33, House District Nos. 97, 98 and 99; District 34, House District Nos. 100, 101 and 102; District 35, House District Nos. 103, 104 and 105.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall be effective for the election of members of the House of Representatives and for the election of Senators in the Alabama Legislature at the general election of 1982, and until each house of the Legislature, respectively, is reapportioned in accordance with the provisions of the Alabama Constitution.

SUBSTITUTE LOST

The substitute No. 4 offered by Rep. Harrison to the bill, S. 1, was lost.

Yeas 10; Nays 69.

Yeas:

Reps. Buskey, Clark (W), Escott, Holmes, Horn, Howard, Kennedy, Langford, Penry and Reed.

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Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Bennett, Biddle, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Lewis, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Payne, Pegues, Rains, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Tucker, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 13. Relating to the City of Valley in Chambers County; to provide further for the police jurisdiction.

Also:

H. 19. To grant to the City of Bessemer the right to demolish unsafe buildings; and to provide further for the following: The procedure for a determination of the ownership of the real property or building and notice of a hearing; the procedure for holding the hearing before the city governing body; the procedure for appeal to the circuit court; the right of the city to obtain a lien for the cost of demolition; the authority to assess against property sold to the State of Alabama for taxes; the method of collection of assessments.

Also:

H. 24. To give the county commission of Greene County the authority to increase certain clerk hire allowances and to provide for the purchase of certain office equipment.

Also:

H. 25. Relating to Greene County; to further provide for the per diem of members of the County Board of Equalization.

Also:

H. 28. To provide for a certain increase in court costs in the Choctaw County division of the First Judicial Circuit of this state with a portion of the proceeds from such increase to be earmarked for the salaries of deputies sheriff in Choctaw County.

Also:

H. 33. Relating to Cleburne County; providing further for the treating, depositing, dumping, the site or transporting of industrial waste in the county; creating the Cleburne County Industrial Waste Committee and providing for the composition of such committee, the selection of the membership, terms of office, powers and duties; providing for meetings and transaction of business; prescribing public hearings on all proposed activities and sites for such wastes and recommendation therefor by the committee to the appropriate state agencies; and specifically providing that no provision of this act shall be construed to amend or repeal any general law relating to regulating hazardous or solid wastes.

Also:

H. 38. Relating to Cullman County; amending Section 1 of Act No. 711, H. 1109 of the 1976 Regular Session (Acts 1976, p. 991), relating to costs and charges in criminal cases, so as to further define such costs shall apply in municipal as well as other courts in the county and circuit, and to further prescribe the amount and expenditure of said costs.

Also:

H. 40. Relating to Clarke County; amending Section 2 and repealing Section 3 of Act No. 446, H. 244, Regular Session 1975 (Acts of Alabama 1975, p. 1068), which act provides a clerk-hire allowance for the tax assessor, so as to change the manner of payment of such clerk.

Also:

H. 41. Relating to Morgan County; permitting banks now or hereafter situated in Morgan County to establish, maintain or operate branch banks

and branch offices within the corporate limits of Priceville, Alabama, for the conduct of a general banking and trust business.

Also:

H. 55. Relating to Conecuh County; providing an additional clerk-hire allowance for the tax collector and specifically repealing Act No. 471, H. 1265 of the 1975 Regular Session of the Legislature (Acts 1975, p. 1095) and Act No. 79-648 of the 1979 Regular Session of the Legislature (Acts 1979, p. 1128) and all other laws in conflict herewith.

Also:

H. 64. Relating to Bullock County; to further provide for the collection of any special county privilege license tax or taxes authorized by Amendment No. 128 to the Constitution of Alabama of 1901.

Also:

H. 65. Relating to Bullock County; providing for the levy and collection of special county privilege license and excise taxes paralleling the state sales and use taxes provided for in Chapter 23 of Title 40, Code of Alabama 1975, as amended; incorporating provisions of law applicable to the said state sales and use taxes; providing for the collection and enforcement of such taxes by the Department of Revenue of the state; providing for the distribution and use of the proceeds of the said taxes; providing for severability of the provisions hereof and the effective date hereof; providing penalties for the violations of this act; providing that such taxes constitute a lien; and providing for a referendum election before any such taxes may be levied.

Also:

H. 66. To authorize the Etowah County governing body to levy and collect, in addition to all other taxes heretofore imposed by law, a county excise and privilege tax on every person severing coal within the county; to provide that the proceeds collected therefrom be deposited in the county general fund; to authorize the county governing body to inspect the books of each person severing coal and to make such reasonable rules and regulations as may be necessary to enforce and collect the tax imposed by this Act; and to prescribe penalties for the violations of the provisions of this Act.

Also:

H. 67. Relating to Tallapoosa County; to alter, rearrange and extend the boundary lines and corporate limits of the City of Jacksons' Gap in said county.

Also:

H. 70. To alter, rearrange and extend the boundary lines and corporate limits of the town of Fort Deposit in Lowndes County.

Also:

H. J. R. 41. MOURNING THE DEATH OF PRESIDENT ANWAR AL-SADAT OF EGYPT.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SPEAKER

The Speaker made it clear that, as has been his policy throughout the debate on all re-apportionment bills, no vote will be taken until everyone who wishes to be heard, can be heard.

S. 1 RESUMED

AMENDMENT OFFERED

Rep. Tucker offered the following amendment to the bill, S. 1:

Amend S. B. 1 by deleting districts 14, 15, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 50, 51 and 52 and the areas which comprise these districts.

Further amend S. B. 1 by inserting in lieu of the abovementioned, deleted districts the following districts:

DISTRICT 14: Jefferson County: Tract 112.06; Tract 112.05; Tract 117.06; Tract 113; Tract 117.04; Tract 114; Blount County; Tract 506; Tract 505 ED 784; ED 781; ED 783; Tract 507—Locust Fork Div.

DISTRICT 15: In Jefferson County: Tract 111.03; Tract 112.03; Tract 118.02; Tract 118.01; Tract 112.04; Tract 111.04; Tract 111.05; Block Group 1; Block Group 2.

DISTRICT 31: Jefferson County: Tract 108.04; Tract 108.03; Tract 108.05; Tract 129.03; Shelby County: Tract 303.01; Tract 303.02; All except BG 7, Blocks 660, 702; All except BG1, Irondale portion; BG5 Irondale portion; BG5, Blocks 529, 513; BG6, Blocks 612, 613, 614, 615, 616; BG8, Blocks 807, 836, 837, 831, 841, 830; All except BG2, Blocks 243, 244; Blocks 230, 231, 232, 226, 303, 302, 301, 315, 316, 314, 313, 318, 317, 323, 324, 237, 304, 310, 311, 321, 320, 312, 319, 322, 309, 249, 250, 246, 245, 247, 305, 306, 307, 308, 238, 224, 225, 261, 227, 228, 229, 220, 221, 227, 223, 222, 149, 150.

DISTRICT 32: In Jefferson County: Tract 50; Block Group 2; Tract 49; Tract 48; Tract 47.02; Tract 2306; Tract 56; Tract 2305; Block Group 2; Block Group 5; Block Group 6; Block Group 7; Block Group 1; Tract 108.03; Block Group 1; Irondale portion; Block Group 5; Irondale portion; Tract 108.01; Tract 108.02; Tract 108.04; Block Group 7; Block 760; Block 702.

DISTRICT 33: In Jefferson County: Tract 2; Tract 3; Block Group 2; Block Group 3; Block Group 4; Tract 1801, 1082, 1901, 1902, 20, 21, 22, 2303, 126.02, 126.01, 111.05; Tract 127.01, 23.04; Tract 2304; Block Group 1.

DISTRICT 34: In Jefferson County: Tract 111.04; Block Group 1; Blocks 103, 104, 105, 150 (Birmingham Division); Block Group 4; Blocks 403, 412; Block Group 9; Block 987; Tract 118.01; Block Group 5; Tract 59.06; Block Group 2; Tract 119.02; Block Group 5; Blocks 505; Block 506; Block 508; Block 510; Tract 1; Tract 53.01; Tract 53.02; Tract 59.03; Tract 59.05; Tract 59.04; Tract 119.03; Block Group 2; Block Group 3; Block Group 4; Block Group 5.

DISTRICT 35: In Jefferson County: Tract 1705; Tract 190.01; Tract 119.02; Tract 117.03; Tract 120.02; Tract 59.06; Tract 118.01; Block Group 1; Blocks 141, 142, 143, 163, 164, 165, 166, 168, 169; Tract 117.04; Block Group 1; Blocks 102, 105, 106, 108, 109, 112; Tract 112.04; Block Group 1; Block Group 9; Blocks 917(a), 917(b), 923, 925, 934, 936, 950, 951, 952, 954, 955, 957, 958, 959, 968.

District 36: Jefferson County: Tract 124.02; Tract 117.03; BG1, Blocks 101, 102, 103, 104, 105, 106, 107; Tract 125, BG1, BG7, BG8, Block 837; BG9, Block 920; Tract 121.03; Tract 115; Tract 121.04; Tract 124.03 All except BG7, Block 710; Tract 116; Walker County; Tract 218; Tract 219.

District 37: In Jefferson County: Tract 143.02; Tract 130.01; Tract 130.02; Tract 58, BG9, Blocks 905, 909, 912, 913; Tract 107.01; Tract 107.02; Tract 107.04; Tract 107.05; Tract 107.06; Tract 144.01, BG1, BG2, BG3; Blocks 301, 345, 341, 342, 316, 344, 303.

District 38: In Jefferson County: Tract 40; Block Group 2, 3, 4, 5, 6, 7, 8; Block Group 1; Blocks; Tract 38.03; 52, 57.02, 57.01, 131; Block Group 1; Tract 51.02; Block Group 9; Tract 130.02; Block Group 1; Blocks: 105, 109, 110, 111, 123, 151; Tract 58; Block Group 9; Blocks: 907, 908, 910, 911; 916; Tract 50; Block Group 5; Block Group 4; Block Group 3; Block Group 2; Blocks 209, 211.

DISTRICT 39: In Jefferson County: Tract 31; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Tract 30.01; Tract 30.02; Tract 29; Tract 28.02; Tract 39; Tract 41; Tract 51.01; Tract 51.02; Tract 42; Tract 40; Block Group 1; Blocks: 110, 111, 118, 120, 121, 104.

DISTRICT 40: In Jefferson County: Tract 38.01; Tract 36; Tract 38.02; Tract 37; Tract 34; Tract 125, BG2, BG4, BG8, BG9; Tract 123.01; Tract 132.

DISTRICT 41: In Jefferson County: Tract 106.01; Tract 106.02; Tract 136.01; Tract 136.02; Tract 133; Tract 134; Tract 105; Tract 138.02; Tract 106.03; BG2, BG3, BG4, BG8; Tract 135, BG4; Block 405; Block 406; Tract 139.01; Tract 135.

DISTRICT 42: Jefferson County: Tract 122; Tract 141.02; Tract 140; Tract 100.01; Tract 100.02; Tract 139.02; Tract 123.02; Tract 124.03, BG7; Block 710; Walker County; Tract 216; Tract 217, ED 900; ED 894; ED 899.

DISTRICT 43: In Jefferson County: Tract 8, 55, 7, 4, 54, 6, 5, 24; Tract 119.03; Block Group 1; Tract 3; Block Group 1.

DISTRICT 44: In Jefferson County: Tract 14; Tract 15; Tract 16; Tract 17; Tract 26.02; Tract 28.01; Tract 26.01; Tract 27; Tract 25; Tract 47.03; Tract 46; Tract 45; Tract 44; Tract 47.01.

DISTRICT 45: In Jefferson County: Tract 120.01; Tract 124.01; Tract 11; Tract 12; Tract 33; Tract 32; Tract 10; Tract 9; Tract 31; Block Group 7, 1, 6; Tract 120.02; Block Group 5.

DISTRICT 49: In Jefferson County: Tract 103.01; Tract 101; Tract 102; Tract 103.02; Tract 104.01; Tract 137; Tract 138.01; Tract 141.04; Tract 143.01; B G 3; B G 6; Tract 141.03; B G 1; Block 101, 102.

DISTRICT 50: Jefferson County: Tract 104.02; Tract 141.03; Tract 141.05; Tract 143.01; B G 4; Tract 142.03; Tract 142.02; Tract 142.04; Tract 144.03; Tract 144.02; B G 5; Tract 144.01, All except B G 1, B G 2, B G 3, Blocks 301, 345, 341, 342, 316, 344, 303; Shelby County: Tract 303.02; Tract

303.01; B G 2, Blocks 243, 244; Tract 304.01; B G 1, Blocks 101, 103, 106, 102, 105, 104; Tract 306.01; Blocks 214, 216, 217, 218, 213, 138, 108, 205, 202, 203, 204, 206, 207, 201, 139, 137, 107, 140, 141, 134, 135, 136

DISTRICT 51: In Jefferson County: Tract 120.01; Tract 129.02; Tract 144.02; Tract 129.04; Tract 129.03, All except B G 5, Block 529; B G 6, Blocks 612, 613, 614, 615, 616; B G 8, Blocks 807, 836, 837, 831, 841, 830

DISTRICT 52: In Jefferson County: Tract 127.02, 110, Jefferson County; In Shelby County: Tract 301, 302, 307.02, 307.01, 306.02, 305, 306.01, Shelby County, Blocks 104, 105, 106, 110-112, 109, 103, 114-133, 142, 143, 145-150, 208-212, 219-222.

AMENDMENT TABLED

On motion of Rep. Manley, the amendment offered by Rep. Tucker to the bill, S. 1, was tabled.

Yeas 66; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Blake, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Roberts, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turnham, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—66

Nays:

Reps. Buskey, Clark (W), Escott, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Nevett, Reed and Tucker.

—12

AMENDMENT OFFERED

Rep. Gilmer offered the following amendment to the bill, S. 1:

On page 5, relating to House District 5, on line 26, strike "Guin Division" and insert in lieu thereof:

Enumeration Districts 414 and 407

On page 5, relating to House Districts 5 by deleting line 27 in its entirety.

On page 5, relating to House District 5, delete line 28 in its entirety.

On page 5, relating to House District 6, on line 33, delete "except Enumeration" and insert in lieu thereof:

(All)

On page 5, relating to House District 6, delete line 34 in its entirety.

On page 5, relating to House District 6, delete line 36 in its entirety and insert in lieu thereof:

Enumeration Districts 414 and 407

AMENDMENT TABLED

On motion of Rep. Manley, the amendment offered by Rep. Gilmer to the bill, S. 1, was tabled.

Yeas 36; Nays 24.

Yeas:

Reps. Adams (C), Albright, Barton, Cabaniss, Campbell, Cates, Clark (G), Cobb, Coburn, Cooley, Cosby, Edwards, Goodwin, Grouby, Hammett, Harvey, Hines, Holley, Johnson (R. G.), Kennedy, Lewis, Manley, Minus, Mitchell, Olive, Owens, Pegues, Sasser, Smith (C), Starkey, Turnham, Venable, Waggoner, Ward, Whatley and Willis.

—36

Nays:

Reps. Bedsole, Blake, Carothers, Carter, Escott, Gafford, Gilmer, Hall, Harper (O), Harper (T), Horn, Howard, Jackson, McMillan, Nevett, Parker, Rains, Reed, Riddick, Seibels, Smith (M), Tucker, Wyatt and Zoghby.

—24

LEAVE OF ABSENCE

At the request of Rep. Waggoner, leave of absence was granted for Rep. Biddle.

S. 1 RESUMED

And the bill, S. 1, was read a third time at length and passed.

Yeas 75; Nays 22.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Gafford, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Letson, Lewis, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—75

Nays:

Reps. Brakefield, Buskey, Clark (W), Daniels, Escott, Gilmer, Hall, Harrison, Holmes, Horn, Howard, Jackson, Kennedy, Langford, McKee, Naramore, Nevett, Reed, Tucker, Turner, Warren and Wyatt.

—22

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 48. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Thursday, October 8, 1981, we adjourn to meet again on Tuesday, October 20, 1981, at 11:00 A.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 48, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 35. SETTING MEETING DATES OF THE LEGISLATURE.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 35, said Senate amendment being as follows:

Amend H. J. R. 35 by striking the date "October 13" and inserting the date

"October 20".

And the resolution, H. J. R. 35 as thus amended, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Moore, the rules were suspended in order to take up out of order on the Special Order Calendar, the bill, S. 51.

Yeas 54; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Bowling, Buskey, Cabaniss, Carothers, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Hines, Johnson (R. G.), Kelley, Letson, McKee, McMillan, Moore, Olive, Owens, Payne, Pegues, Rains, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Starkey, Trammell, Venable, Ward, Williams, Willis, Wyatt and Zoghby.

—54

Nays:

Reps. Escott, Horn, Howard, Jackson, Nevett and Tucker.

—6

And the bill:

S. 51. To alter, re-arrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 58; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Drinkard, Gafford, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Johnson (R. G.), Langford, Letson, McKee, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Roberts, Sasser, Shoemaker, Starkey, Trammell, Venable, Ward, Williams, Willis, Wyatt and Zoghby.

—58

Nay: Rep. Tucker.

—1

RESOLUTION

The following resolution was introduced:

By Reps. Penry, Daniels, Bedsole, Johnson (R. G.) and Harper (T):

H. J. R. 49. EXPRESSING CONCERN OVER SALARY RANGE ADJUSTMENTS IN DEPARTMENT OF PUBLIC SAFETY.

WHEREAS, the State Personnel Board has approved changes in the salary ranges for the Department of Public Safety; and

WHEREAS, the changes include adjustments which range from 37.6% increases for State Trooper Lieutenants to 7.7% for State Troopers; and

WHEREAS, the Legislature appropriated monies for salary adjustments for all ranks within the State Trooper class; and

WHEREAS, the Legislature intended that each rank be accorded equal consideration commensurate with their responsibility; and

WHEREAS, questions have been raised concerning the plan adopted by the State Personnel Board which relates to its fairness to all personnel; and

WHEREAS, the members of the legislature have grave concern over what appears to be disparity in the percentage increase between ranks in the State Trooper classification; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the State Personnel Board be informed that the legislature desires that a fair and equitable salary range be devised which would accord equal consideration between ranks commensurate with responsibilities, and that the funds which have been appropriated by the legislature be paid in such a manner as to provide the maximum benefit to all ranks without the creation of unfair and excessive increases to the higher ranks.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Penry offered the motion to suspend the rules and adopt the resolution, H. J. R. 49.

DIVISION OF THE QUESTION

Rep. Carothers called for the Division of the Question and the call was sustained.

MOTION TEMPORARILY POSTPONED

On motion of Rep. Penry, the resolution, H. J. R. 49, and the pending motion were temporarily postponed.

STATE OF ALABAMA
MEMORANDUM

To: Senator Lister Proctor and
Representative Rick Manley

From: Louis Greene

Re: Re-apportionment Bill

It would be greatly appreciated if you could arrange for us to have the entire week of the 12th for purposes of verifying the correctness of the re-apportionment bill.

I have made arrangements for assistance from the University of Alabama and the University of South Alabama and I believe that if a recess was taken until Tuesday the 20th, all corrections necessary could be identified and corrected.

Very truly yours,

LOUIS GREENE,
Director.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 57. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Alexander City, in Tallapoosa County.

Also:

S. 60. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Gulf Shores, in Baldwin County.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 35. Relative to legislative meeting dates from Wednesday, October 7, 1981, through Tuesday, October 20, 1981.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:45 A.M. On October 8, 1981

H. 13
H. 19
H. 24
H. 25
H. 28
H. 33
H. 38
H. 40
H. 41
H. 55
H. 64
H. 65
H. 66
H. 67

6th Day

H. 70

H. J. R. 41

Delivered to the Governor at 12:30 P.M. On October 8, 1981

H. J. R. 35

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Whatley and pursuant to the resolution, H. R. 48, heretofore adopted, the House adjourned until 11:00 o'clock a.m., Tuesday, October 20, 1981.

Yeas 31; Nays 22.

Yeas:

Reps. Adams (C), Albright, Bennett, Blake, Campbell, Carter, Cates, Cheatwood, Cooley, Crow, Drinkard, Gregg, Grouby, Hall, Harvey, Hines, Holley, Howard, Johnson (R. G.), Lewis, McKee, Manley, Minus, Nevett, Olive, Pegues, Rains, Riddick, Sasser, Smith (M) and Whatley.

—31

Nays:

Reps. Barton, Bedsole, Buskey, Cabaniss, Carothers, Clark (W), Dial, Dixon, Harper (T), Holmes, Kennedy, Langford, McMillan, Moore, Parker, Reed, Seibels, Starkey, Trammell, Tucker, Waggoner and Wyatt.

—22

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, October 20, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Alvin C. Dixon, Pastor, Anderson Chapel Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall,

Hammett, Harper (O), Harper (T), Harrison, Harvey, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—103

A quorum was present.

REPORT ON STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 56. Relating to Escambia County; to amend Act No. 81-841, H. 1056, 1981 Regular Session, relating to the county jury commission, so as to provide further for the board of appointment, and the compensation of the clerk and members of said commission.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 59. Relating to the twelfth judicial circuit; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

Also:

H. 61. Relating to the fourteenth judicial circuit; regulating certain salary increases for certain personnel in the district attorney's office.

Also:

H. 63. To amend Section 2 of Act No. 464, H. 1238 of the 1977 Regular Session of the Legislature (Acts 1977, p. 603) relating to the salary of the investigator for the district attorney's office in the fourteenth judicial circuit so as to provide further for such salary.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 16. To amend Sections 2, 3 and 6 of Act No. 80-780, S. 569, 1980 Regular Session (Acts 1980, p. 1615), relating to the levying of court costs in Tuscaloosa County, so as to provide further for the use of such court costs and to delete the provision placing a ceiling on the amount which may be collected as well as the provision requiring the creation of an additional district judgeship.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 3. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

Also:

H. 30. To amend Section 16-13-211 of the CODE OF ALABAMA 1975 so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 50. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business October 20, 1981, taking precedence over any other business of the House.

REPORT OF STANDING COMMITTEES
INTRODUCTION OF BILLS AND RESOLUTIONS
UNCONTESTED LOCAL BILLS

By Mr. White, et al:

S. 10 p. 15 Medicaid Agency, letting of contracts

By Mr. White, et al:

S. 12 p. 15 Dentists, peer review committees

By Mr. Parsons, et al:

S. 20 p. 13 Assaults on teachers, etc.

By Mr. Martin, et al:

S. 37 p. 14 County and city boards of education

On motion of Rep. Biddle, the resolution, H. R. 50, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Holley:

H. 117. To further provide for the distribution of any funds by the Alabama Housing Finance Authority pursuant to Sections 24-1A-1 through 24-1A-21 of the Code of Alabama 1975.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Reps, Riddick, Gregg, Smith (M), Albright, Hall and Coburn:

H. J. R. 51. EXPRESSING OPPOSITION TO THE "BONUS" PAY PLAN RECENTLY APPROVED BY THE TENNESSEE VALLEY AUTHORITY BOARD OF DIRECTORS.

WHEREAS, the Tennessee Valley Authority Board of Directors has approved a pay plan that will provide annual bonuses of up to \$36,000 for approximately 75 managers at TVA; and

WHEREAS, these bonuses will result in compensation to these managers which circumvents the provisions of the TVA Act that the pay of a TVA employee shall not exceed that of a member of the TVA Board of Directors; and

WHEREAS, the cost of TVA-generated electricity has risen at an alarming rate, with a 41% rate of increase since April 1980, under the management of the very people who are to receive these bonuses; and

WHEREAS, the citizens of North Alabama are outraged at yet another increase in the cost of TVA-generated electricity which will have to be borne by the already overburdened rate payers of the Tennessee Valley; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby express our strongest possible opposition to the aforementioned bonus pay plan for TVA managers.

BE IT FURTHER RESOLVED, That copies of this resolution be provided to the members of the United States Congress from the State of Alabama and to the members of the Board of Directors of the Tennessee Valley Authority.

On motion of Rep. Riddick, the rules were suspended and the resolution, H. J. R. 51, was adopted.

Also:

By Reps. Riddick, Gregg, Smith (M), Albright, Hall and Coburn:

H. R. 52. EXPRESSING OPPOSITION TO THE "BONUS" PAY PLAN RECENTLY APPROVED BY THE TENNESSEE VALLEY AUTHORITY BOARD OF DIRECTORS.

WHEREAS, the Tennessee Valley Authority Board of Directors has approved a pay plan that will provide annual bonuses of up to \$36,000 for approximately 75 managers at TVA; and

WHEREAS, these bonuses will result in compensation to these managers which circumvents the provisions of the TVA Act that the pay of a TVA employee shall not exceed that of a member of the TVA Board of Directors; and

WHEREAS, the cost of TVA-generated electricity has risen at an alarming rate, with a 41% rate increase since April 1980, under the management of the very people who are to receive these bonuses; and

WHEREAS, the citizens of North Alabama are outraged at yet another increase in the cost of TVA-generated electricity which will have to be borne by the already overburdened rate payers of the Tennessee Valley; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we do hereby express our strongest possible opposition to the aforementioned bonus pay plan for TVA managers.

BE IT FURTHER RESOLVED, That copies of this resolution be provided to the members of the United States Congress from the State of Alabama and to the members of the Board of Directors of the Tennessee Valley Authority.

On motion of Rep. Riddick, the rules were suspended and the resolution, H. R. 52, was adopted.

Also:

By Reps. Williams, Daniels, Grimsley and Carothers:

H. J. R. 53. DIRECTING THE STATE HIGHWAY DEPARTMENT TO INCLUDE CITY MAP INSETS OF THE SEVEN LARGEST CITIES IN ALABAMA, ACCORDING TO THE 1980 FEDERAL DECENNIAL CENSUS, ON THE 1982-90 OFFICIAL ALABAMA HIGHWAY MAPS.

WHEREAS, for many years the official state highway maps of Alabama have included the names and city map insets of seven metropolitan areas of this state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That henceforth the State Highway Department is hereby directed to include the city map insets of the seven largest cities in Alabama, according to the 1980 federal decennial census, on the 1982-90 official state highway maps.

RESOLVED FURTHER, That the Clerk of the House of Representatives shall send a copy of this resolution to the Governor and the Director of the State Highway Department.

On motion of Rep. Williams, the rules were suspended and the resolution, H. J. R. 53, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Escott:

H. R. 54. HONORING THE FIRST BAPTIST CHURCH OF FAIRFIELD AND ITS PASTOR, THE REVEREND C. HOWARD NEVETT.

Also:

By Reps. Buskey, Clark (W), Cobb, Reed, Escott and Zoghby:

H. J. R. 55. COMMENDING DR. YVONNE KENNEDY AS PRESIDENT OF S. D. BISHOP STATE JUNIOR COLLEGE.

WHEREAS, it is with great personal pride and utmost pleasure that the Alabama Legislature notes the selection of our esteemed colleague, Dr. Yvonne Kennedy, as the President of S. D. Bishop State Junior College, Mobile, Alabama; and

WHEREAS, Representative Kennedy is most notably qualified, through advanced study and degree acquisition, for her new position; she is a graduate of the Mobile Center of Alabama State College, now S. D. Bishop State Junior College, of Alabama State University in Montgomery, Morgan State University, Baltimore, Maryland, and the University of Alabama where she respectively earned her A.S., B.S., M.A. and PhD. Degrees; and

WHEREAS, during her educational pursuits, Ms. Kennedy was the recipient of a multitude of awards and honors, including Who's Who Among Outstanding Students in American Colleges and Universities; she further was named most "Outstanding Student" by the Graduate Faculty of the College of Education at the University of Alabama and was the recipient of the President's Award at Alabama State where she also reigned as "Miss Alabama State"; and

WHEREAS, Representative Kennedy held membership, as well, in a number of National honorary societies and fraternities during her college years and she currently is professionally and civically affiliated with many major organizations, through membership and in board service, office and directorship capacities; and

WHEREAS, Dr. Kennedy's professional experience is both considerable and diversified, encompassing service in the classroom at S. D. Bishop State

Junior College, as an Associate Director of Programs with the Southern Association of Colleges and Schools in Atlanta, and in the responsible administrative position of Title III Coordinator, since 1976, also at S. D. Bishop State Junior College; and

WHEREAS, she is a faithful, lifelong member of the Stewart Memorial C.M.E. Church of Mobile, a published author, 1980 "Woman of the Year" of Zeta Phi Beta Sorority, Kappa Alpha Psi's "Citizen of the Year" for 1980 and the 1973 Mardi Gras Queen as selected by the Mobile Area Mardi Gras Association; and

WHEREAS, Ms. Kennedy's political involvement has also been extensive and of long-standing through association with the League of Women Voters, Alabama Democratic Conference, the Alabama Legislative Black Caucus, which she served as chairman, and as Representative, since 1979, House District 103, of the Alabama House of Representatives; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate our colleague, Representative Yvonne Kennedy, as President of S. D. Bishop State Junior College but, most particularly, we commend her for outstanding achievement in all areas of life; we express deep admiration for her ability, her professionalism and integrity, and direct that she receive a copy of this resolution in token of our esteem, with a copy also provided for her Mother, with whom we share great pride.

On motion of Rep. Buskey, the rules were suspended and the resolution, H. J. R. 55, was adopted.

CO-SPONSORS ADDED

The following were added as co-sponsors to the resolution, H. J. R. 55: Reps. Adams (C), Barton, Bedsole, Drinkard, Edwards, Gilmer, Hammett, Harper (O), Harper (T), Holley, Horn, Johnson (Rev), McKee, McMillan, Naramore, Parker, Pegues, Penry, Rains, Sandusky, Smith (C), Stewart, Turner, Venable, Warren, Wyatt and Zoghby.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 62. Relating to Walker County; providing further for the compensation of the clerk of the jury commission.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Naramore, the House concurred in and adopted the Senate amendment to the bill, H. 62, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing further for the compensation of the clerk of the jury commission.

Be It Enacted by the Legislature of Alabama:

Section 1. In Walker County, the clerk of the jury commission shall receive a salary supplement of \$200.00 per month. Said salary shall be in lieu of any and all other salary supplements heretofore provided by law and be payable out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 25; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Blake, Buskey, Cheatwood, Clark (W), Edwards, Gafford, Grimsley, Grouby, Hall, Hammett, Harper (O), Horn, Johnson (Roy), Letson, McMillan, Moore, Naramore, Olive, Penry, Smith (C), Stewart, Trammell and Venable.

—25

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 62 as thus amended, was again read at length and passed.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Blake, Boles, Buskey, Carter, Cates, Cheatwood, Clark (W), Daniels, Dial, Edwards, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Horn, Johnson (Roy), Kelley, Letson, Lewis, McMillan, Moore, Naramore, Olive, Owens, Penry, Sandusky, Sasser, Smith (C), Stewart, Stout, Trammell, Venable, Ward, Warren, Whatley and Willis.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 3. To amend Act No. 81-843, H. 593, Regular Session 1981, (Acts 1981, p. 171), which act authorizes the State Industrial Development Authority to sell and issue bonds not exceeding \$3,000,000 in principal amount for purposes of making certain local surveys, land gradings and industrial site drainings incidental to certain industrial development, so as to exempt the State Industrial Development Authority from the usury laws of the State of Alabama, and to provide that all bonds and income therefrom shall be exempt from all state taxation.

Also:

H. 16. To amend Sections 2,3, and 6 of Act No. 80-780, S. 569, 1980 Regular Session (Acts 1980, p. 1615), relating to the levying of court costs in Tuscaloosa County, so as to provide further for the use of such court costs and to delete the provision placing a ceiling on the amount which may be collected as well as the provision requiring the creation of an additional district judgeship.

Also:

H. 30. To amend Section 16-13-211 of the CODE OF ALABAMA 1975 so as to provide that notes issued by a board of education in anticipation of the issuance of warrants may bear such rate or rates of interest as the board of education issuing such notes may provide in the proceedings wherein the notes are authorized to be issued.

Also:

H. 59. Relating to the twelfth judicial circuit; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

Also:

H. 61. Relating to the fourteenth judicial circuit; regulating certain salary increases for certain personnel in the district attorney's office.

Also:

H. 63. To amend Section 2 of Act No. 464, H. 1238 of the 1977 Regular Session of the Legislature (Acts 1977, p. 603) relating to the salary of the investigator for the district attorney's office in the fourteenth judicial circuit so as to provide further for such salary.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 62. Relating to Walker County; providing further for the compensation of the clerk of the jury commission.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 49. Relating to appropriations for the ordinary expenses of certain of the executive, legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement-Hazardous Waste Control, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Rep. Owens offered the motion that the House non-concur in the Senate amendment to the bill, H. 49, and request a Committee on Conference on the disagreement between the two Houses on the bill, said Senate amendment being as follows:

In the synopsis, page 1, line 25 and in the title, page 2, line 21, after the word "control", insert the following:

, to Blakely Park for its operations and functions

In section 2, page 3, immediately following the language on line 17, insert the following new sub-paragraph (e):

(e) For Blakely Park:

For the operations and functions of historic Blakely Park . . . \$150,000.

In section 3, page 3, line 28, after the word "Health", insert the following language:

, Blakely Park

On page 1, in the Synopsis, line 23, after the comma insert the following language:

the Department of Finance, the office of the Secretary of State,

On page 2, line 17, after the comma insert the following language:

to the Department of Finance and to the office of the Secretary of State to implement the provisions of the Alabama Business Corporation Act,

On page 3, lines 18 through 33, delete Sections 2 through 4 in their entirety and insert in lieu thereof:

Section 2. (a) There is hereby appropriated from the general fund in the state treasury, for the fiscal year ending September 30, 1982, the sum of \$100,000 to the Department of Finance to be used for microfilming of corporate records, computerization and other associated costs of developing an automated record-keeping system for maintaining records required by the Alabama Business Corporations Act. The appropriation herein shall be in addition to any and all other funds heretofore or hereafter appropriated to the Department of Finance.

(b) For the fiscal year ending September 30, 1982, the following sums are hereby appropriated from the General Fund to the Office of the Secretary of State:

SOURCE OF FUNDS

(1) State General Fund	\$140,262
(2) General Fund-Retirement ...	749
(3) General Fund-Social Security	2,220
(4) General Fund-Health Insurance	1,032
Total	\$144,263

This appropriation shall be in addition to any and all other funds heretofore or hereafter appropriated to the Office of the Secretary of State.

Section 3. There is hereby appropriated \$14,000 from the Polygraph Examiners Fund, for the fiscal year ending September 30, 1982:

For the Board of Polygraph Examiners	14,000
--	--------

Section 4. All supplemental appropriations made in Sections 1, 2 and 3 of this act shall be in addition to any and all other funds heretofore or hereafter appropriated to: the Military Department, the Board of Polygraph Examiners, the Department of Finance, the office of the Secretary of State, the Department of Conservation and Natural Resources, the Department of Public Health and the Board of Pardons and Parole for the fiscal year ending September 30, 1982.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE MOTION OFFERED

Rep. Naramore offered the substitute motion that the House concur in and adopt the Senate amendment to the bill, H. 49.

MOTION TO TABLE LOST

The motion offered by Rep. Owens to table the substitute motion offered by Rep. Naramore, was lost.

Yeas 22; Nays 56.

Yeas:

Reps. Bedsole, Cabaniss, Cates, Clark (G), Cosby, Dial, Edwards, Grouby, Kelley, McKee, McMillan, Manley, Minus, Payne, Pegues, Sandusky, Sasser, Shoemaker, Turnham, Venable, Whatley and Zoghby.

—22

Nays:

Reps. Adams (C), Adams (H), Albright, Barton, Blake, Boles, Buskey, Carter, Cheatwood, Clark (W), Cobb, Coburn, Crow, Drinkard, Escott, Ford, Gilmer, Gregg, Grimsley, Hall, Hammett, Harper (O), Harper (T), Harvey, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, Mitchell, Moore, Naramore, Olive, Penry, Rains, Ray, Reed, Riddick, Roberts, Shavers, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Ward, Warren, Willis and Wyatt.

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SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Rep. Naramore that the House concur in and adopt the Senate amendment to the bill, H. 49, and the substitute motion was adopted.

Yeas 57; Nays 29.

Yeas:

Reps. Adams (C), Adams (H), Albright, Barton, Blake, Bowling, Buskey, Carter, Cheatwood, Clark (W), Cobb, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gregg, Grimsley, Hall, Hammett, Harper (O),

Harper (T), Harvey, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Minus, Naramore, Olive, Payne, Penry, Rains, Ray, Reed, Riddick, Roberts, Shavers, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Warren, Whatley, Willis, Wyatt and Zoghby.

—57

Nays:

Reps. Bedsole, Boles, Cabaniss, Cates, Clark (G), Coburn, Cosby, Dial, Gafford, Gilmer, Goodwin, Grouby, Kelley, Lewis, McKee, McMillan, Manley, Mitchell, Owens, Pegues, Sandusky, Sasser, Shoemaker, Smith (M), Starkey, Turnham, Venable, Waggoner and Ward.

—29

And the bill:

H. 49. Relating to appropriations for the ordinary expenses of certain of the executive, legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Finance and to the office of the Secretary of State to implement the provisions of the Alabama Business Corporation Act, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement-Hazardous Waste Control, to Blakely Park for its operations and functions, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

As thus amended, was again read at length and passed.

Yeas 71; Nays 8.

Yeas:

Reps. Adams (C), Adams (H), Albright, Barton, Bedsole, Blake, Bowling, Buskey, Carter, Cheatwood, Clark (W), Cobb, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—71

Nays:

Reps. Coburn, Cosby, Dial, Gafford, Gilmer, Kelley, McKee and Venable.

—8

RESOLUTIONS

The following resolutions were introduced:

By Reps. Holmes, Langford, Dixon, McKee, Wyatt and Grouby:

H. J. R. 56. WELCOMING DR. ROBERT H. RANDOLPH AS PRESIDENT OF ALABAMA STATE UNIVERSITY.

WHEREAS, the Legislature of Alabama extends a cordial welcome to Dr. Robert H. Randolph as the newly appointed President of Alabama State University; and

WHEREAS, Dr. Randolph is a native of East St. Louis, Illinois, with impeccable academic credentials and a reputation for administrative excellence which has long preceded his appointment as President of Alabama State University; and

WHEREAS, Dr. Randolph earned his bachelor's degree in economics from DePauw University and his master's and doctoral degrees in labor economics and management from the University of Illinois and served from 1973-79 as President of Westfield State College in Westfield, Massachusetts; and

WHEREAS, Dr. Randolph was a Carnegie Foundation Fellow in 1962 and directed the Harvard Graduate of Education Intern in Administration program in 1976-77; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby extend a warm welcome to Dr. Robert H. Randolph as the newly appointed President of Alabama State University.

BE IT FURTHER RESOLVED, That Dr. Randolph receive a copy of this resolution, tendered in praise and in anticipation of his long and successful tenure as A.S.U. President.

On motion of Rep. Holmes, the rules were suspended and the resolution, H. J. R. 56, was adopted.

Also:

By Reps. Biddle and Cheatwood:

H. J. R. 57. URGING THE U. S. CORPS OF ENGINEERS TO REMOVE ITS BOATING AND FISHING RESTRICTIONS IN THE TAILWATER AREAS BELOW U. S. CORPS OF ENGINEERS DAMS.

WHEREAS, the tailwater areas below dams constructed by the Tennessee Valley Authority, Alabama Power Company, U. S. Corps of Engineers, and other agencies in Alabama offer some of the best and most productive fishing to be found and;

WHEREAS, the tailwater areas below the Tennessee Valley Authority dams and Alabama Power Company dams have been made available to the state's fishing public as a result of the cooperative spirit of these agencies and;

WHEREAS, factual statistics reveal that these waters are not unnecessarily hazardous to the fishing public when boaters comply with Alabama water safety laws by wearing approved vest type life preservers and;

WHEREAS, the U. S. Corps of Engineers has exhibited an unacceptable attitude by unnecessarily restricting tailwater areas below dams to the state's fishing public; now therefore

BE IT RESOLVED BY THE JOINT HOUSES OF THE ALABAMA LEGISLATURE DURING THIS SPECIAL SESSION OF 1981, That the Legislature support the desires of thousands of Alabama fishermen and the Alabama Department of Conservation and Natural Resources by urging the U. S. Corps of Engineers to recognize the state's role in regulating fishing and boating activities on Alabama's public waters and further request that the Corps remove its boating and fishing restrictions in the tailwater areas below U. S. Corps of Engineers dams.

On motion of Rep. Biddle, the rules were suspended and the resolution, H. J. R. 57, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTION

The resolution:

H. J. R. 49. EXPRESSING CONCERN OVER SALARY RANGE ADJUSTMENTS IN DEPARTMENT OF PUBLIC SAFETY

Which was temporarily postponed on the sixth legislative day, was taken up.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Penry offered the motion to suspend the rules and adopt the resolution, H. J. R. 49.

DIVISION OF THE QUESTION

Rep. Carothers called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Penry to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 49, and the motion was lost, lacking a four-fifths vote.

Yeas 37; Nays 29.

Yeas:

Reps. Albright, Bedsole, Bennett, Bowling, Buskey, Cheatwood, Clark (W), Cobb, Daniels, Dixon, Drinkard, Ford, Gafford, Goodwin, Gregg, Harper (T), Harrison, Holley, Horn, Jackson, Johnson (Roy), Kennedy, Langford, Lewis, McKee, Payne, Penry, Rains, Ray, Riddick, Roberts, Sandusky, Seibels, Smith (C), Smith (M), Stewart and Wyatt.

—37

Nays:

Mr. Speaker, Barton, Biddle, Blake, Boles, Campbell, Carter, Cates, Dial, Gilmer, Grimsley, Hall, Howard, Laird, Minus, Naramore, Olive, Owens, Patton, Pegues, Reed, Sasser, Shoemaker, Trammell, Turnham, Venable, Warren, Whatley and Zoghby.

—29

The resolution, H. J. R. 49, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. White (With Notice and Proof):

S. 81. To authorize the Pension Board of the Jefferson County Pension System established by Act No. 497 of 1965, approved on August 20, 1965, to increase benefits which the said pension system provides for members of the system and to increase benefits which the said pension system provides for other persons on account of such other persons' dependence upon or relation to members of the system; and to prescribe the terms and conditions on which said Pension Board shall be authorized to increase such benefits.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 81, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 81. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Callahan, St. John, White and deGraffenried:

S. 79. To create an interim committee to be known as the Alabama Housing Finance Authority Appropriations Interim Committee; to prescribe the composition and appointment of the membership; to prescribe the committee's powers and duties; to provide for the election of a chairman and vice chairman of the committee and its organization, meetings and conduct of business; to make a conditional appropriation from the general fund of the state treasury, for the fiscal year ending September 30, 1982, to the Alabama Housing Finance Authority for its operational purposes and to prescribe the conditions of release therefor; and to provide for legislative compensation, per diem and travel expenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 79. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Callahan:

S. J. R. 34. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that when we adjourn today the legislature will adjourn to meet on Wednesday, October 21, and when the legislature adjourns on October 21, we adjourn to meet again on October 22.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

RESOLUTION INDEFINITELY POSTPONED

On motion of Rep. Manley, the resolution, S. J. R. 34, the title of which is set out in the above and foregoing Message from the Senate, was indefinitely postponed.

Yeas 48; Nays 27.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bennett, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Goodwin, Gregg, Grouby, Hammett, Hines, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, McKee, Manley, Minus, Naramore, Olive, Owens, Pegues, Penry, Ray, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Turner, Venable, Whatley, Willis, Wyatt and Zoghby.

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Nays:

Reps. Albright, Barton, Cabaniss, Escott, Ford, Gafford, Grimsley, Hall, Harvey, Holley, Horn, Jackson, Lewis, Moore, Patton, Payne, Rains, Reed, Roberts, Sandusky, Seibels, Stewart, Stout, Turnham, Waggoner, Warren and Williams.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 9. Relating to Escambia County; to provide an optional and alternative method of assessing and paying taxes on and issuing license tags or decals for motor vehicles in such county.

Also:

S. 51. To alter, re-arrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

Also:

S. 56. Relating to Escambia County; to amend Act No. 81-841, H. 1056, 1981 Regular Session, relating to the county jury commission, so as to provide further for the board of appointment, and the compensation of the clerk and members of said commission.

Also:

S. 58. Relating to the cities of Sylacauga, Talladega, Childersburg and Lincoln in Talladega County, Alabama; authorizing said cities at the sole discretion of their respective city councils to appropriate funds each fiscal year to pay for costs of the Talladega County District Court, Juvenile Division.

Also:

S. 59. Relative to Talladega County; to amend further Act No. 81-125, S. 101, 1981 Regular Session (Acts 1981), entitled, "An act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Talladega County," so as to provide for financing of Juvenile Justice and Law Enforcement by increasing the costs and charges of Court.

Also:

S. 65. Relating to Marshall County; to provide for an additional expense allowance for the members of the board of equalization of said county and to repeal Act No. 81-511, S. 589, 1981 Regular Session (Acts 1981, p. 874).

Also:

S. 71. Relating to Marshall County; to provide for an additional expense allowance for the members of the jury commission of said county and to repeal Act No. 81-512, S. 590, 1981 Regular Session (Acts 1981, p. 874).

Also:

S. J. R. 21. STRONGLY URGING THE HIGHWAY DEPARTMENT TO PLACE WARNING GATES AND OVERHEAD WARNING SIGNALS AT THE JORDAN LANE RAILROAD CROSSING IN HUNTSVILLE, ALABAMA, AND REQUESTING A DETAILED EXPLANATION TO THE LEGISLATURE IF SUCH ACTIONS ARE NOT TAKEN.

Also:

S. J. R. 28. HONORING JUDGE FRANK B. EMBRY, DISTINGUISHED ALABAMA JURIST.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 58. TO AMEND FURTHER ACT NO. 80-771, S. J. R. 239, CREATING A JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT ACCORDING TO THE 1980 UNITED STATES CENSUS, SO AS TO PROVIDE FURTHER FOR THE POWERS AND DUTIES OF SAID COMMITTEE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 80-771, S. J. R. 239, 1980 Regular Session, as amended, is hereby amended further to read as follows, viz:

WHEREAS, the United States Government will all too soon complete the 1980 Census; and

WHEREAS, as a result of this 1980 Census, there is no longer any necessity for Act No. 340, H. J. R. 88, 3rd Special Session 1971 (Acts 1971,

p. 4652), which 10 years ago created a joint interim committee for the purpose of this resolution. Therefore, said Act No. 340 is hereby specifically repealed; and

WHEREAS, as a result of this 1980 Census, there may exist a reapportionment problem in Alabama; now therefore,

"BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative committee on reapportionment to consist of eighteen members as follows: one member of the House of Representatives from each Congressional District, the chairman or vice-chairman of the House Judiciary Committee and one member of the House of Representatives at large to be appointed by the Speaker of the House and one member of the Senate from each Congressional District, the chairman or vice-chairman of the Senate Judiciary Committee and one member of the Senate at large, to be appointed by the Lieutenant Governor. This committee shall make a continuous study of the reapportionment problem in Alabama seeking solutions thereto. It shall make such reports of its investigations, findings and recommendations to the legislature at any time during any regular or special session of the legislature as it may deem necessary or desirable. Each member of the committee hereby created shall be entitled to his usual legislative pay, travel expenses and per diem for each day he spends in attending such committee meetings. This committee will have no authority after the 1982 Regular Session of the legislature.

"BE IT FURTHER RESOLVED, That the committee shall have authority to employ all necessary staff to perform the functions of this committee and the authority to employ consultants, technicians, attorneys and any other experts needed to prepare maps and make professional appearances to support any plan of reapportionment adopted by the legislature. Such employees of the committee shall be paid out of any funds appropriated for the use of the legislature."

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 58, was adopted.

Also:

By Rep. Harrison:

H. J. R. 59. COMMENDING CHARLES R. (ROD) CLARK FOR HIS MERITORIOUS SERVICES TO THE LEGISLATURE OF ALABAMA

WHEREAS, Charles R. (Rod) Clark, Administrative Associate, Center for Urban Affairs, University of Alabama in Birmingham, rendered valuable and outstanding services to the Alabama Legislature in its preparation for the Special Session on reapportionment; and

WHEREAS, Mr. Clark, using data retrieval skills, extracted 1980 population figures from the U. S. Census Public Law Tape, PL 94-171, known as the "reapportionment tape"; and

WHEREAS, Mr. Clark plotted population information for each census block in Jefferson and relevant neighboring counties and prepared for each legislator a chart showing population changes in his or her district; and

WHEREAS, Mr. Clark, using mapping skills, constructed maps comparing 1970 and 1980 population distribution by census tracts, and accompanied the reapportionment committee to Montgomery to update maps as required; and

WHEREAS, assignments were carried out by Mr. Clark both during regular working hours and on evenings and weekends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Charles R. (Rod) Clark for his outstanding contribution to the Legislature of Alabama in its work toward reapportionment.

BE IT FURTHER RESOLVED, That Mr. Clark receive a copy of this resolution in appreciation for his efficient and untiring services.

On motion of Rep. Harrison, the rules were suspended and the resolution, H. J. R. 59, was adopted.

Yeas 49; Nays 5.

Yeas:

Mr. Speaker, Adams (H), Amari, Barton, Bennett, Biddle, Blake, Cabaniss, Cates, Cheatwood, Clark (G), Cobb, Cosby, Dial, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hines, Howard, Johnson (R. G.), Letson, Lewis, McKee, Manley, Minus, Moore, Naramore, Olive, Owens, Payne, Pegues, Rains, Ray, Reed, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Trammell, Venable, Waggoner, Ward, Willis and Zoghby.

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Nays: Reps. Escott, Holmes, Horn, Jackson and Langford.

—5

CO-SPONSORS ADDED

The following were added as co-sponsors to the resolution, H. J. R. 59:

Yeas:

Mr. Speaker, Amari, Barton, Bennett, Biddle, Cabaniss, Cates, Cheatwood, Cobb, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Howard, Letson, Lewis, Manley, Minus, Moore, Naramore, Olive, Payne, Ray, Roberts, Sasser, Smith (J), Trammell, Venable, Waggoner and Willis.

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Also:

By Rep. Harrison:

H. J. R. 60. COMMENDING THE CENTER FOR URBAN AFFAIRS, UNIVERSITY OF ALABAMA IN BIRMINGHAM, AND ITS DIRECTOR, ODESSA WOOLFOLK, FOR THEIR OUTSTANDING, CONSISTENT SERVICES AND CONTRIBUTIONS TO THE BIRMINGHAM COMMUNITY, THE STATE OF ALABAMA, AND DEPARTMENTS OF THE GOVERNMENT.

WHEREAS, in its role as a major public service unit, under the capable direction of Odessa Woolfolk, the Center for Urban Affairs offers technical assistance, research and continuing education to public officials, community groups and the business sector; and

WHEREAS, this Center prepares studies in the areas of housing, community planning, economic development, human services, urban geography, budget and finance, and public sector productivity; and

WHEREAS, the Center serves as a repository for census data, population studies and related information useful in the formulation of public policy; and

WHEREAS, forums are sponsored through which the scholarly findings of campus researchers can be interpreted and applied to the understanding and resolution of community problems; and

WHEREAS, the Center conducts impact evaluations of public programs; and

WHEREAS, Urban Studies students are offered a practical dimension to their educational experience; and

WHEREAS, the Center provides periodic survey, cartographic and bibliographic assistance to departments of government; and

WHEREAS, the Center for Urban Affairs recently demonstrated its service to state government by providing computerized data, space and professional services to the Legislature of Alabama in its preparation for the Special Session on reapportionment; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Center for Urban Affairs, University of Alabama in Birmingham, and its director, Odessa Woolfolk, be commended for their valuable contributions to the Birmingham community, the State of Alabama, and departments of the Government.

BE IT FURTHER RESOLVED, That Odessa Woolfolk receive a copy of this resolution in appreciation for her efficient services.

On motion of Rep. Harrison, the rules were suspended and the resolution, H. J. R. 60, was adopted.

Yeas 41; Nays 2

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bennett, Biddle, Blake, Cabaniss, Carothers, Cheatwood, Clark (G), Cosby, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Grimsley, Hall, Harrison, Howard, Johnson (R. G.), Letson, Lewis, McKee, Manley, Minus, Moore, Olive, Pegues, Rains, Seibels, Shoemaker, Smith (J), Trammell, Waggoner, Ward, Williams, Willis and Zoghby.

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Nays: Reps. Escott and Horn.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

CO-SPONSORS ADDED

Reps. Bennett, Biddle, Cheatwood, Gafford, Howard, Olive, Payne, Seibels, Smith (J), Trammell and Waggoner were added as co-sponsors to the resolution, H. J. R. 60.

RECESS

On motion of Rep. Manley, the House recessed until 2:30 o'clock p.m.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Buskey, Campbell, Cates, Clark (G), Clark (W), Cobb, Cosby, Dial, Edwards, Gafford, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Hines, Holmes, Horn, Johnson (R. G.), Letson, McKee, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Payne, Pegues, Rains, Reed, Riddick, Roberts, Seibels, Shoemaker, Smith (J), Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—54

HOUSE RECONVENED

The hour of 2:30 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

And the bill:

S. 8. Relating to the City of Gadsden; amending Section 1 of Act No. 63, H. 1, 1978 Second Special Session (Acts 1978, p. 1750), so as to provide further for the salaries of members of the board of commissioners.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Clark (G), Cosby, Daniels, Dial, Drinkard, Ford, Grimsley, Grouby, Hall, Harper (T), Harvey, Langford, McKee, Moore, Naramore, Nevett, Owens, Penry, Seibels, Shavers, Smith (C), Starkey, Stewart, Trammell, Turner and Zoghby.

—31

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 10. To amend section 22-6-7, Code of Alabama 1975, so as to provide further for the letting of certain contracts by the Medicaid Agency of the State of Alabama.

Yeas 44; Nays 1.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Clark (G), Clark (W), Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hall, Harper (T), Harvey, Howard, Johnson (R. G.), Johnson (Roy), Manley, Minus, Moore, Nevett, Olive, Owens, Parker, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Willis, Wyatt and Zoghby.

—44

Nay: Rep. Holley.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 12. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Blake, Campbell, Carothers, Clark (G), Clark (W), Cooley, Cosby, Daniels, Dial, Dixon, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, McKee, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Penry, Reed, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—60

S. 20 TEMPORARILY POSTPONED

On motion of Rep. Amari, the bill, S. 20, was temporarily postponed.

And the bill:

S. 37. (With Amendment): To amend section 16-13-145 of the Code of Alabama 1975, relating to the funding county and city boards of education, so as to authorize said boards to participate in the energy conservation financing programs of the Tennessee Valley Authority.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend S. 37 by deleting in its entirety Subsection (b) of Section 1 on page 3 and by substituting in lieu thereof the following:

"(b) Notwithstanding the provisions of subsection (a) of this section, section 16-13-144, or any other provision of law, any county or city board of education upon the recommendation of the county or city superintendent of education shall have authority to contract with the Tennessee Valley Authority for the purpose of obtaining funds from the Tennessee Valley Authority's Commercial and Industrial Energy Conservation Financing Plan or any similar plan developed by the Tennessee Valley Authority, in accordance with the terms and conditions established for such programs by the Tennessee Valley Authority, to assist said county or city board of education in modifying any school buildings as may be determined to be energy-inefficient in order to improve the energy efficiency of such buildings. No contract authorized by this subsection shall be effective until approved by the State Superintendent of Education."

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Blake, Bowling, Campbell, Carter, Clark (W), Cooley, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Hines, Holmes, Howard, Kennedy, Langford, Letson, Lewis, McKee, McMillan, Moore, Naramore, Nevett, Olive, Owens, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Turner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—62

And the bill, S. 37 as thus amended, was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Blake, Bowling, Cabaniss, Campbell, Carter, Clark (G), Clark (W), Cooley, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Harper (T), Harvey, Hines, Holmes, Howard, Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Moore, Naramore, Nevett, Olive, Owens, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Turner, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—68

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. McCorquodale:

H. R. 61. COMMENDING CHIEF GEORGE W. SKIPPER AND THE JACKSON, ALABAMA, VOLUNTEER FIRE DEPARTMENT.

Also:

The following resolution was introduced:

By Rep. McCorquodale:

H. J. R. 62. COMMENDING CHIEF GEORGE W. SKIPPER AND THE JACKSON, ALABAMA, VOLUNTEER FIRE DEPARTMENT.

WHEREAS, the backbone of our nation's network of fire-fighting organizations is composed of volunteer departments scattered throughout these United States, staffed by conscientious and dedicated citizens who serve, in lieu of pay, through care and concern for their friends and neighbors; and

WHEREAS, one such organization of proven efficiency and effectiveness is the Jackson, Alabama, Volunteer Fire Department, headed by veteran Chief George W. Skipper, a member of the department for 48 years, Chief since 1949 and the author of a number of innovative departmental programs; and

WHEREAS, now a prominent Jackson insurance executive, Chief Skipper, at the age of 17, joined the one-engine department which has since grown to include five pumpers, one tank truck, one ladder unit and a supply truck with 53 active senior firemen and none junior volunteers; and

WHEREAS, during Mr. Skipper's volunteer tenure, he and his fellow fire fighters have responded to some 6,000 alarms in the Jackson area, protecting the lives and property of others without regard for their own personal safety; and

WHEREAS, it is further to be noted that through the years, Chief Skipper and the department have had the full backing and encouragement of Mrs. Elizabeth Skipper who also has spearheaded support of the other volunteers' "ladies" and the entire community; and

WHEREAS, thus the Jackson Volunteer Fire Department, organized in 1927, has become a major asset to the City of Jackson, and has been formally recognized for outstanding performance on numerous occasions; it also has had an additional positive effect by lowering insurance rates through the achievement of a Class 6 fire protection rating; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Chief George W. Skipper and the dedicated Volunteer Fire Fighters of Jackson, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Chief Skipper in praise of his involvement, that of his wife, Mrs. Elizabeth Skipper, and their entire family, with a copy also provided for appropriate display by the Jackson Volunteer Fire Department.

On motion of Rep. McCorquodale, the rules were suspended and the resolution, H. J. R. 62, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Smith (J):

H. R. 63. COMMENDING HARRY MOORE RHETT, JR., FOR OUTSTANDING SERVICE TO HIS COMMUNITY.

Also:

By Reps. Smith (J) and Smith (M):

H. R. 64. COMMENDING TILLMAN DENTON HILL.

Also:

By Rep. Smith (J):

H. R. 65. COMMENDING MR. WILLIAM ROBERT SPEARS OF NEWHOPE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 51. EXPRESSING OPPOSITION TO THE "BONUS" PAY PLAN RECENTLY APPROVED BY THE TENNESSEE VALLEY AUTHORITY BOARD OF DIRECTORS.

Also:

H. J. R. 55. COMMENDING DR. YVONNE KENNEDY AS PRESIDENT OF S. D. BISHOP STATE JUNIOR COLLEGE

Also:

H. J. R. 56. WELCOMING DR. ROBERT H. RANDOLPH AS PRESIDENT OF ALABAMA STATE UNIVERSITY.

Also:

H. J. R. 57. URGING THE U. S. CORPS OR ENGINEERS TO REMOVE ITS BOATING AND FISHING RESTRICTIONS IN THE TAILWATER AREAS BELOW U. S. CORPS OF ENGINEERS DAMS.

Also:

H. J. R. 58. TO AMEND FURTHER ACT NO. 80-771, S. J. R. 239, CREATING A JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT ACCORDING TO THE 1980 UNITED STATES CENSUS, SO AS TO PROVIDE FURTHER FOR THE POWERS AND DUTIES OF SAID COMMITTEE.

Also:

H. J. R. 59. COMMENDING CHARLES R. (ROD) CLARK FOR HIS MERITORIOUS SERVICES TO THE LEGISLATURE OF ALABAMA.

Also:

H. J. R. 60. COMMENDING THE CENTER FOR URBAN AFFAIRS, UNIVERSITY OF ALABAMA IN BIRMINGHAM, AND ITS DIRECTOR, ODESSA WOOLFOLK, FOR THEIR OUTSTANDING, CONSISTENT SERVICES AND CONTRIBUTIONS TO THE BIRMINGHAM

COMMUNITY, THE STATE OF ALABAMA, AND DEPARTMENTS OF
THE GOVERNMENT.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 75. Relating to Elmore County; to amend section 5 of Act No. 983, H. 1019, Regular Session 1971, (Acts 1971, p. 1755) relating to the taxation of certain alcoholic beverages in said county, so as to provide further for such tax, and to provide for retroactive effect.

Also:

H. 9. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Also:

H. 11. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Also:

H. 12. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 6. To provide further for the 17th Judicial Circuit; to provide for an expense allowance for the district court judges of the 17th Judicial Circuit to be paid by the counties comprising the circuit; to repeal conflicting laws; to specifically repeal Act No. 1703, H. 2502 of the 1971 Regular Session (Acts

1971, p. 2862), and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), both as last amended, establishing the Sumter County Court of Record, so as to abolish such court.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the House concurred in and adopted the Senate amendment to the bill, H. 6, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To provide further for the 17th Judicial Circuit; to provide for an expense allowance for the district court judges of the 17th Judicial Circuit to be paid by the counties comprising the circuit; to repeal conflicting laws; to specifically repeal Act No. 1703, H. 2502 of the 1971 Regular Session (Acts 1971, p. 2862), and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), both as last amended, establishing the Sumter County Court of Record, so as to abolish such court.

Be It Enacted by the Legislature of Alabama:

Section 1. Each district court judge of the 17th Judicial Circuit shall receive an expense allowance of two hundred fifty dollars (\$250) per month. Said expense allowance shall be in lieu of any other expense allowance for such judges for which the counties comprising the 17th Judicial Circuit shall be liable.

Section 2. The county governing body of each of the counties comprising the 17th Judicial Circuit shall pay an equal amount out of the respective county general fund for the payment of said expense allowance.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Act No. 1703, H. 2502 of the 1971 Regular Session (Acts 1971, p. 2862) and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), as last amended, are hereby specifically repealed and all laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bennett, Blake, Bowling, Cates, Clark (G), Cobb, Cosby, Daniels, Edwards, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Hines, Laird, Letson, McKee, McMillan, Manley, Minus, Moore, Nevett, Olive, Owens, Patton, Penry, Rains, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Turner, Venable, Ward, Whatley, Willis and Zoghby.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 6 as thus amended, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Blake, Bowling, Cates, Clark (G), Clark (W), Cobb, Cosby, Daniels, Edwards, Ford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Hines, Horn, Johnson (R. G.), Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Nevett, Olive, Owens, Patton, Penry, Rains, Ray, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Ward, Whatley, Wyatt and Zoghby.

—60

MOTION TO RECONSIDER

Having voted on the prevailing side, Rep. Drinkard offered the motion to reconsider the vote by which the resolution, S. J. R. 34, was indefinitely postponed.

MOTION TO TABLE LOST

The motion offered by Rep. Manley to table the motion to reconsider offered by Rep. Drinkard, was lost.

Yeas 25; Nays 68.

Yeas:

Mr. Speaker, Adams (C), Campbell, Cates, Clark (G), Cobb, Coburn, Cosby, Daniels, Dial, Gilmer, Goodwin, Gregg, Hammett, Johnson (R. G.), Manley, Minus, Owens, Pegues, Sasser, Shoemaker, Smith (C), Venable, Ward and Whatley.

—25

Nays:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Buskey, Cabaniss, Clark (W), Cooley, Crow, Drinkard, Edwards, Escott, Ford, Gafford, Grimsley, Grouby, Hall, Harper (O), Harrison, Harvey, Hines, Holley, Holmes, Horn, Jackson, Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Mitchell, Moore, Naramore, Nevett, Olive, Patton, Payne, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shavers, Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

—68

MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Rep. Drinkard to reconsider the vote by which the resolution, S. J. R. 34, was indefinitely postponed and the motion was adopted.

Yeas 66; Nays 26.

Yeas:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Buskey, Cabaniss, Clark (W), Cooley, Crow, Drinkard, Edwards, Escott, Ford, Gafford, Grimsley, Hall, Harper (O), Harrison, Harvey, Hines, Holley, Holmes, Horn, Jackson, Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Moore, Naramore, Nevett, Olive, Patton, Payne, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Seibels, Shavers, Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Warren, Williams, Willis and Wyatt.

—66

Nays:

Mr. Speaker, Adams (C), Campbell, Cates, Clark (G), Cobb, Coburn, Cosby, Daniels, Dial, Gilmer, Goodwin, Gregg, Grouby, Hammett, Johnson (R. G.), Manley, Minus, Owens, Pegues, Sasser, Shoemaker, Smith (C), Venable, Ward and Whatley.

—26

And the resolution:

S. J. R. 34. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that when we adjourn today the legislature will adjourn to meet on Wednesday, October 21, and when the legislature adjourns on October 21, we adjourn to meet again on October 22.

Was again taken up.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Drinkard offered the motion to suspend the rules and adopt the resolution, S. J. R. 34.

DIVISION OF THE QUESTION

Rep. Manley called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Drinkard to suspend the rules in order to take up for immediate consideration the resolution, S. J. R. 34, and the motion was lost, lacking a four-fifths vote.

Yeas 67; Nays 28.

Yeas:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Buskey, Cabaniss, Cheatwood, Clark (W), Cooley, Crow,

Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Hall, Harper (O), Harper (T), Harrison, Harvey, Holley, Holmes, Horn, Jackson, Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Mitchell, Moore, Naramore, Nevett, Olive, Patton, Payne, Penry, Rains, Ray, Riddick, Roberts, Seibels, Shavers, Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Warren, Williams, Willis and Wyatt.

—67

Nays:

Mr. Speaker, Campbell, Cates, Clark (G), Cobb, Coburn, Cosby, Daniels, Dial, Goodwin, Gregg, Grouby, Hammett, Howard, Johnson (R. G.), Manley, Minus, Owens, Parker, Reed, Sandusky, Sasser, Shoemaker, Smith (C), Venable, Ward, Whatley and Zoghby.

—28

The resolution, S. J. R. 34, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the governor, proposing an amendment to the Bill:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

said Governor's Message being in words and figures as follows, to-wit:

To the Senate of Alabama
State Capitol
Montgomery, Alabama 36130

Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill No. 1, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,
WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 20th day of October, 1981.

To the Senate of Alabama
State Capitol
Montgomery, Alabama 36130

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill No. 1, without my approval and with the following suggested Executive Amendment:

Amend Section 1 of Senate Bill No. 1 as follows:

On page 5, House District 5, delete lines 27 and 28 in their entirety.

And on page 5, line 33, delete the language "except Enumeration" and delete line 34 in its entirety.

On page 6, House District 7, on line 21, add the words and figures, Enumeration District 270.

On page 7, House District 9, on line 36, insert the following language:
Tract 0054.01

On page 8, House District 10, on line 16, following the words Hanceville Division, add the following:

Except Enumeration District 140 and Enumeration District 137.

Also, on page 8, line 17, insert the words "Jones Chapel Division, Enumeration District 114".

Also, on page 8, line 23, following the words Jones Chapel, insert the following:

Except Enumeration District 114.

Also, insert between lines 25 and 26, the following:

Hanceville Division, Enumeration District 140 and Enumeration District 137.

On page 9, House District 12, strike line 27 and insert in lieu thereof the following:

In remainder of Jasper Division.

On page 10, House District 13, on line 8, change the figure 49 to "41".

On page 15, House District 18, line 22, strike the entire line and on line 25 insert the language,

Huntsville City Part

Tract 0113P

On page 16, House District 19, after line 11, delete the following language:

Block Group 3, 4, 5

On page 19, House District 22, line 23, following the figure 9902, insert the following:

Except Blocks 203 and 218

On page 19, House District 22, line 25, change the number 198 to 196.

Also, on page 20, House District 23, insert between lines 11 and 12, the following:

Blocks 203 and 218 only of BNA 9902 in the Scottsboro Division

Also, on page 20, House District 23, line 17, delete the number 196 and insert in lieu thereof, the number 198, and on line 18 insert the following language:

Enumeration District 195 of the Scottsboro Division

On page 24, House District 31, line 33, strike the entire line.

On page 34, House District 41, between lines 30 and 31 insert the following language:

Enumeration District 913 and 911

On page 34, House District 41, on line 32, strike all of line 32.

On page 34, House District 41, on line 34, after the language 0215 insert the following language:

Except Enumeration District 906A

On page 36, House District 43, line 11, following the numerals 0009, insert the words and figures, except Block Group 7.

Also, on page 38, District 45, line 29, insert the following:

Tract 0009: Block Group 7.

On page 41, House District 49, line 11, strike the words, except Enumeration District 9.

On page 42, House District 50, line 25, following the numerals 316 and before the word "and", insert the numeral 317.

On page 52, House District 63, on line 22, strike the word "of".

On page 55, House District 65, on line 7, following the word "city" add the word "division".

On page 57, District 69, line 27, change the figure 669 to 667.

On page 58, District 70, on line 11, insert following the numeral numbers 327 the A.

On page 59, House District 71, line 16, after the language 0408 insert the following language:

except Taylor town

On page 61, House District 73, after line 17, insert the following language as line 18:

Tract 0408 Taylor town only

On page 64, House District 77, after line 12, insert the following language:

407, 408, 410, 413, 508, 509, 510, 511, 512

Also on page 64, House District 77, on line 13, delete the following language:

3, 4, 5

and delete line 14 in its entirety.

On page 64, House District 77, line 15, delete the language:

2, 3, 4

and insert in lieu thereof the following language:

Blocks 201, 202, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 403, 407,
408

Also on page 64, House District 77, after line 16, insert the following language:

Block Group 1, 2, 3, 4, 6, 7, 8

Blocks 501, 502, 504, 509, 515

Also on page 64, House District 77, delete lines 17 through 20, including all language on unnumbered lines following line 19, and insert in lieu thereof the following language:

Tract 0015, Block Group 5, 7; Blocks 312, 313, 314, 315, 317, 318, 319, 320, 321, 401, 402, 403, 404, 405, 406, 409, 419, 450, 451

On page 64, House District 77, after line 31, delete the remainder of the language on the page and insert in lieu thereof the following language:

Tract 0053.01

On page 66, House District 79, on line 9, after the language, "Tract 0004," insert the following language:

Block Group 3

On page 66, House District 79, after line 11, insert the following language:

411, 412, 414, 501, 502, 503, 504, 505, 506, 507

On page 66, House District 79, after line 15, delete the following language:

except for Block Group 2, 3, 4

and also delete line 21 in its entirety.

On page 68, House District 81, after line 8, insert the following language:

Tract 0007; Blocks 203, 307, 308, 401, 402, 404, 405, 406; Tract 0012; Blocks 505, 507, 508, 516

On page 68, House District 81, after line 13, insert the following language:

401, 406, 407, 408, 409, 410, 411

Also on page 68, House District 81, delete lines 15 through 20 and insert in lieu thereof the following language:

Block Group 1, 2; Blocks 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 410, 416, 417

On page 68, House District 81, after line 30, delete the following language:

All except Blocks 103, 104, 105, 106, 107, 415, 416, 417, 418, 501, 502, 503, 504, 505, 506, 507

and also on that page delete lines 33 and 34 in their entirety.

On page 72, District 85, on line 8 and line 9, strike the words and figures "minus BNA-9901, Block G-1" and on line 12, strike the figure 56 and insert lieu thereof the figure 52.

Also, on page 73, District 86, strike lines 26 and 27 and in lieu thereof insert the following:

Enumeration District 60

On page 74, House District 88, on line 30, add the following:

Sumter County: Gainesville Division; Panola-Giger Division

Also, on line 17, strike the words "all of" and insert following the word "county", the following words and figures:

Except Boligee Division and Enumeration; District 188 of the Forkland-Tishabee Division.

Also, on page 76, House District 90, line 7, strike the words "all of" and insert following the word "county", the following:

Except Gainesville Division and Panola-Giger Division

Also, on line 14, insert the following:

Greene County: Boligee Division; Forkland-Tishabee Division, ED 188 only

On page 77, District 94, strike all of line 33, 34, and 35, and insert in lieu thereof:

All of the Daphne Division except Blocks 101 thru 154; 156 thru 159; 197, 198, 199; 209 thru 223, in the remainder of Daphne Division.

Also, on page 78, House District 95, strike lines 8, 21, and 22 entirely and insert in lieu of lines 21 and 22 the words and figures as follows:

Blocks 101 thru 154, 156 thru 159, 197, 198, 199, 209 thru 223, in the remainder of Daphne Division.

On page 79, House District 96, delete lines 15 and 16 in their entirety.

Also, on page 79, House District 96, line 25, delete the language "801" and also delete lines 26 through 30 and lines 36 through 39 in their entirety.

On page 80, House District 96, delete lines 5 through 8 in their entirety.

On page 80, House District 96, after line 12, add the following language:

Block 504

Also, on page 80, House District 96, after line 13, add the following language:

Blocks 901, 905, 906

On page 81, House District 97, after line 6, add the following language:

Mobile City: Tract 0038.02p; Tract 0052p

And, on page 81, House District 97, after line 9, add the following language:

Tract 0052p; Tract 0053p

Also, on page 81, House District 97, lines 12 and 13, delete the following language:

, except Blocks 936-946, and 988p and Enumeration District 540

On page 81, House District 97, after line 26, add the following language:

Tract 0038.02p

On page 82, House District 97, delete lines 9 through 12 in their entirety.

Also, on page 82, House District 97, delete lines 15 through 18 and insert in lieu thereof the following language:

Blocks 801, 802, 803, 804, 805, 806, 807, 808, 809, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 904, 906, 912, 913p, 924, 970, 972, 976, 978p, 979p, 980, 981, 982, 983

On page 83, House District 98, on line 8 after the language "115," insert the following language:

602,

On page 83, House District 98, delete line 10 in its entirety and after line 11, insert the following language:

Tract 0034.01p (Block 122)

Also, on page 83, House District 98, after line 30, insert the following language:

Blocks 101p, 124p, 125p

On page 84, House District 98, line 12, delete the language "(Partial):" and on page 84, delete lines 13 through 16 in their entirety.

Also, on page 84, House District 98, after line 19, add the following language:

901p; 905; 918; 919p; 958; 964p; 830; 831; 832; 833; 834

On page 85, House District 99, after line 12, insert the following language:

Remainder of Mobile Division; Tract 0043p; Tract 0012.01p

Also, on page 85, House District 99, on line 20 after the language "115," insert the following language:

601,

And on page 85, House District 99, after line 28, insert the following language:

Block Group 2p; (Block 204p)

On page 86, House District 100, delete lines 27 through 31 and line 34 in their entirety and on line 35 delete the language "-504" and insert after line 35, the following language:

502; 503; Blocks 907; 908; 911; 914; 930

On page 87, House District 101, delete line 33 in its entirety and insert in lieu thereof the following language:

Tract 0034.01p; Block 127p; Tract 0034.02p; Block 127p

On page 88, House District 102, line 12, delete the language "102" and insert in lieu thereof the language

101

On page 89, House District 103, delete lines 32 through 37 in their entirety.

And on page 90, House District 103, delete lines 6 through 12 in their entirety.

The adoption of the above suggested amendment will remove my objections to the bill.

Respectfully,
FOB JAMES,
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 1, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 5.

And said Bill, S. B. 1, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 5.

And said Bill, S. B. 1, together with the Executive amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, said Executive amendment being set out in the above and foregoing Message from the Senate.

Yeas 81; Nays 8.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Bennett, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Langford, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Rains, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Stewart, Stout, Trammell, Turnham, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

Nays:

Reps. Escott, Hall, Harrison, Horn, Jackson, Naramore, Nevett and Wyatt.

And the bill, S. 1 as thus amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 77; Nays 17.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bennett, Biddle, Blake, Boles, Bowling, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grouby, Hammett, Harper (O), Harper (T), Hines, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Rains, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

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Nays:

Reps. Buskey, Clark (W), Escott, Hall, Harrison, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Naramore, Nevett, Reed, Shavers, Turner and Warren.

—17

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 49. Relating to appropriations for the ordinary expenses of certain of the executive, legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Finance and to the office of the Secretary of State to implement the provisions of the Alabama Business Corporation Act, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement—Hazardous Waste Control, to Blakely Park for its operations and functions, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

And finds same correctly enrolled.

JACK BIDDLE, III.
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. J. R. 66. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the houses adjourn today, Tuesday, October 20, 1981, they adjourn sine die.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Manley offered the motion to suspend the rules and adopt the resolution, H. J. R. 66.

DIVISION OF THE QUESTION

Rep. Johnson (Roy) called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Manley to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 66, and the motion was lost.

Yeas 33; Nays 52.

Yeas:

Mr. Speaker, Adams (C), Campbell, Cates, Clark (G), Clark (W), Cobb, Coburn, Cosby, Dial, Goodwin, Gregg, Grouby, Hammett, Harper (T), Harrison, Johnson (R. G.), Kelley, McKee, Manley, Minus, Mitchell, Olive, Owens, Pegues, Sasser, Shoemaker, Smith (C), Smith (J), Turner, Venable, Ward and Whatley.

—33

Nays:

Reps. Albright, Amari, Barton, Bedsole, Bennett, Biddle, Boles, Bowling, Cabaniss, Cheatwood, Cooley, Crow, Daniels, Escott, Gafford, Gilmer, Grimsley, Hall, Harvey, Hines, Holmes, Horn, Jackson, Johnson (Roy), Laird, Langford, Letson, Lewis, McMillan, Moore, Naramore, Nevett, Patton, Payne, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shavers, Smith (M), Starkey, Stewart, Stout, Trammell, Turnham, Waggoner, Warren, Wyatt and Zoghby.

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The resolution, H. J. R. 66, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 53. DIRECTING THE STATE HIGHWAY DEPARTMENT TO INCLUDE CITY MAP INSETS OF THE SEVEN LARGEST CITIES IN ALABAMA, ACCORDING TO THE 1980 FEDERAL DECENNIAL CENSUS, ON THE 1982-90 OFFICIAL ALABAMA HIGHWAY MAPS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Williams, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 53, said Senate amendment being as follows:

Amend H. J. R. 53 Page 1 Line 9, by striking out after the word "the": "seven and insert in lieu thereof the word "ten".

Line 21, Page 1 after the word "the" strike the word "seven" and insert in lieu thereof the word "ten".

And the resolution, H. J. R. 53 as thus amended, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Gulledge, Kirkland, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 36. COMMENDING MR. L. W. BRANNAN, JR., OF FOLEY, ALABAMA, DISTINGUISHED PUBLIC SERVANT AND PROMINENT CIVIC LEADER.

Also:

By Messrs. Barron, Kirkland, Bailey, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gulledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 38. COMMENDING AND CONGRATULATING MR. RAY SCOTT, AND THE BASS ANGLERS SPORTSMAN SOCIETY, ON THE OUTSTANDING SUCCESS OF THE ANNUAL BASS MASTERS CLASSIC.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. McMillan, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 36, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. McKee, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 38, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Joint Resolution Number 26, without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 20th day of October, 1981.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Joint Resolution Number 26 without my signature and approval and with the following suggested Executive Amendment.

On page 1, line 23, after the words "state employees." add the following language. "However, to insure that the actions of this interim committee are totally supportive of the efforts of all state and federal law enforcement agencies in the state and all ongoing criminal investigations, the committee shall not have the power or authority to order the production of records or materials or to inspect any surveillance or eavesdropping which may impede or prejudice any ongoing or pending criminal prosecutions or investigations by any grand jury or any other law enforcement authority in the State of Alabama."

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this House Joint Resolution.

Respectfully,

FOB JAMES.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the resolution, H. J. R. 26:

PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

Rep. Gafford moved passage of the resolution, H. J. R. 26, the Governor's veto to the contrary notwithstanding.

SUBSTITUTE MOTION OFFERED

Rep. Johnson (Roy) offered the substitute motion that the House concur in and adopt the amendment proposed by His Excellency, the Governor, to the resolution, H. J. R. 26.

RESOLUTION POSTPONED

On motion of Rep. Holley, consideration of the resolution, H. J. R. 26, with the amendment proposed by His Excellency, the Governor, was postponed to the eighth legislative day.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 6. To provide further for the 17th Judicial Circuit; to provide for an expense allowance for the district court judges of the 17th Judicial Circuit to be paid by the counties comprising the circuit; to repeal conflicting laws; to specifically repeal Act No. 1703, H. 2502 of the 1971 Regular Session (Acts 1971, p. 2862), and Act No. 229, H. 487 of the 1975 Regular Session (Acts 1975, p. 756), both as last amended, establishing the Sumter County Court of Record, so as to abolish such court.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following Bills and House Joint Resolutions, to-wit:

H. 9. To further amend Act No. 497, Regular Session of the Legislature of Alabama of 1965; (Ala. Acts, 1965, pp. 717-739) establishing a pension system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Also:

H. 11. To further amend Section 8 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, establishing a pension system

for employees and officers of Jefferson County, Alabama, as said Section 8 has been heretofore amended.

Also:

H. 12. To authorize any county of this State having a population of 600,000 or more, according to the 1970 or any succeeding federal decennial census, to reimburse any officer or employee of such county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this act and to establish rules and regulations prescribing the conditions on which payments under this Act shall be made.

Also:

H. 75. Relating to Elmore County; to amend section 5 of Act No. 983, H. 1019, Regular Session 1971, (Acts 1971, p. 1755) relating to the taxation of certain alcoholic beverages in said county, so as to provide further for such tax, and to provide for retroactive effect.

Also:

H. J. R. 51. EXPRESSING OPPOSITION TO THE "BONUS" PAY PLAN RECENTLY APPROVED BY THE TENNESSEE VALLEY AUTHORITY BOARD OF DIRECTORS.

Also:

H. J. R. 55. COMMENDING DR. YVONNE KENNEDY AS PRESIDENT OF S. D. BISHOP STATE JUNIOR COLLEGE.

Also:

H. J. R. 56. WELCOMING DR. ROBERT H. RANDOLPH AS PRESIDENT OF ALABAMA STATE UNIVERSITY.

Also:

H. J. R. 57. URGING THE U.S. CORPS OF ENGINEERS TO REMOVE ITS BOATING AND FISHING RESTRICTIONS IN THE TAILWATER AREAS BELOW U.S. CORPS OF ENGINEERS DAMS.

Also:

H. J. R. 58. TO AMEND FURTHER ACT NO. 80-771, S. J. R. 239, CREATING A JOINT LEGISLATIVE COMMITTEE ON APPORTIONMENT ACCORDING TO THE 1980 UNITED STATES CENSUS, SO AS TO PROVIDE FURTHER FOR THE POWERS AND DUTIES OF SAID COMMITTEE.

Also:

H. J. R. 59. COMMENDING CHARLES R. (ROD) CLARK FOR HIS MERITORIOUS SERVICES TO THE LEGISLATURE OF ALABAMA.

Also:

H. J. R. 60. COMMENDING THE CENTER FOR URBAN AFFAIRS, UNIVERSITY OF ALABAMA IN BIRMINGHAM, AND ITS DIRECTOR, ODESSA WOOLFOLK, FOR THEIR OUTSTANDING, CONSISTENT SERVICES AND CONTRIBUTIONS TO THE BIRMINGHAM COMMUNITY, THE STATE OF ALABAMA, AND DEPARTMENTS OF THE GOVERNMENT.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 37. To amend section 16-13-145 of the Code of Alabama 1975, relating to the funding of county and city boards of education, so as to authorize said boards to participate in the energy conservation financing programs of the Tennessee Valley Authority.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 74. To amend Code of Alabama 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomination, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

Also:

H. 45. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 45. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

Also:

H. 74. To amend Code of Alabama 1975, Section 17-16-15, which section relates to Assessments and other qualifications for candidates for nomination, so as to have assessments not to exceed two percent of one year's salary as presently stipulated but without the present \$600 maximum.

Also:

H. J. R. 53. DIRECTING THE STATE HIGHWAY DEPARTMENT TO INCLUDE CITY MAP INSETS OF THE TEN LARGEST CITIES IN ALABAMA, ACCORDING TO THE 1980 FEDERAL DECENNIAL CENSUS, ON THE 1982-90 OFFICIAL ALABAMA HIGHWAYS MAPS.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 1. To provide for the reapportionment of the two houses of the Alabama Legislature based upon the 1980 census.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:55 A.M. on October 20, 1981.

H. 3

H. 16

H. 30

H. 59

H. 61

H. 63

Delivered to the Governor at 12:15 P.M. on October 20, 1981.

H. 62

Delivered to the Governor at 4:45 P.M. on October 20, 1981.

H. 49

H. 6

H. 9

H. 11

H. 12

H. 75

H. J. R. 51

H. J. R. 55

H. J. R. 56

H. J. R. 57

H. J. R. 58

H. J. R. 59

H. J. R. 60

Delivered to the Governor at 4:50 P.M. on October 20, 1981.

H. 74

H. 45

H. J. R. 53

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Johnson (Roy), the House adjourned until 11:00 o'clock a.m., Wednesday, October 21, 1981.

Yeas 45; Nays 27.

Yeas:

Mrs. Speaker, Adams (C), Albright, Barton, Bennett, Blake, Bowling, Cabaniss, Campbell, Cheatwood, Cooley, Cosby, Crow, Drinkard, Gilmer, Goodwin, Harper (O), Harvey, Holley, Holmes, Horn, Howard, Johnson (Roy), Laird, Langford, Letson, Lewis, McMillan, Nevett, Olive, Patton, Pegues, Penry, Rains, Riddick, Roberts, Seibels, Shoemaker, Starkey, Stout, Trammell, Turner, Waggoner, Williams and Willis.

—45

Nays:

Reps. Amari, Cobb, Edwards, Ford, Gafford, Gregg, Hall, Hammett, Harper (T), Johnson (R. G.), McKee, Minus, Moore, Naramore, Parker, Payne, Ray, Reed, Sasser, Smith (C), Smith (J), Smith (M), Stewart, Turnham, Warren, Wyatt and Zoghby.

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EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, October 21, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Carlisle Miller, First United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

JACK BIDDLE, III
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

LEAVE OF ABSENCE

At the request of Rep. Adams (C), leave of absence was granted for Reps. Ward and Whatley.

At the request of Rep. Zoghby, leave of absence was granted for Rep. Clark (W).

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 67. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two houses adjourn today, Wednesday, October 21, 1981, they adjourn sine die.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 67, was adopted.

Also:

By Rep. Dixon:

H. J. R. 68. CREATING A JOINT OVERSIGHT COMMITTEE TO OVERSEE THE MANNER IN WHICH THE HISTORIC BLAKELEY AUTHORITY EXPENDS MONIES PROVIDED BY THE STATE OF ALABAMA.

WHEREAS, the State Legislature has seen fit to appropriate \$150,000 towards the administration of maintenance of "Blakeley Park" in Baldwin County; and

WHEREAS, the Legislature deemed the "Historic Blakeley Authority" so important as to fund it in a supplemental appropriation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a joint oversight committee be created made up of members appointed at the discretion of the Speaker of the House and the Lieutenant Governor to oversee the manner in which the "Historic Blakeley Authority" expends the money provided by the State of Alabama.

BE IT FURTHER RESOLVED, That the committee be funded in the proper manner in an amount not to exceed \$2,000.00.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Dixon offered the motion to suspend the rules and adopt the resolution, H. J. R. 68.

DIVISION OF THE QUESTION

Rep. Johnson (Roy) called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Dixon to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 68, and the motion was lost, lacking a four-fifths vote.

Yeas 26; Nays 14.

Yeas:

Reps. Adams (C), Adams (H), Bowling, Dial, Dixon, Edwards, Escott, Gilmer, Grouby, Holmes, Howard, Kennedy, Laird, Langford, Letson, Seibels, Shoemaker, Smith (J), Smith (M), Starkey, Stewart, Trammell, Turnham, Warren, Wyatt and Zoghby.

—26

Nays:

Reps. Barton, Bedsole, Boles, Cheatwood, Cosby, Johnson (Roy), McKee, McMillan, Patton, Pegues, Penry, Rains, Smith (C) and Turner.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The resolution, H. J. R. 68, was read and referred to the Standing Committee on Rules.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I hereby request that my Executive Amendment to House Joint Resolution Number 26 be withdrawn.

Respectfully,
FOB JAMES,

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Smith (J):

H. R. 69. COMMENDING MR. OLIN B. KING, HUNTSVILLE, ALABAMA, FOR HIS COMMUNITY SERVICE.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 17. PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. BOOKER T. WASHINGTON ON THE CAPITOL GROUNDS.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Reed, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 17, said Senate amendment being as follows:

Amend H. J. R. 17 by inserting a new paragraph reading as follows, following line 33 on page 1:

BE IT FURTHER RESOLVED, That the Alabama Historical Commission make appropriate effort to secure the services of an in-state artist to develop and create this bust or statue, the subject of this resolution.

And for the remainder of H. J. R. 17 to read as introduced.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Carothers, Carter, Cheatwood, Clark (G), Coburn, Cosby, Edwards, Escott, Gilmer, Grimsley, Grouby, Hall, Harper (O), Holmes, Horn, Howard, Jackson, Kennedy, Laird, Langford, Letson, Moore, Naramore, Patton, Rains, Ray, Riddick, Roberts, Seibels, Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Warren, Wyatt and Zoghby

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the resolution, H. J. R. 17 as thus amended, was adopted.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Carter, Cheatwood, Clark (G), Coburn, Cosby, Crow, Edwards, Escott, Gafford, Gilmer, Grimsley, Grouby,

Hall, Harper (O), Holley, Holmes, Horn, Howard, Jackson, Johnson (Roy), Kennedy, Laird, Langford, Letson, McKee, Moore, Naramore, Patton, Penry, Rains, Ray, Reed, Roberts, Seibels, Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Warren, Wyatt and Zoghby.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Joint Resolution Number 26, without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 21st day of October, 1981.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Joint Resolution Number 26 without my signature and approval and with the following suggested Executive Amendment.

On page 1, line 23, after the words "state employees," add the following language. "However, to insure that the actions of this interim committee are totally supportive of the efforts of all state and federal law enforcement agencies in the state and all ongoing criminal investigations, the committee shall not have the power or authority to order the production of legal records and materials or to inspect any legal surveillance or legal eavesdropping which may impede or prejudice any ongoing or pending criminal prosecutions or investigations by any grand jury or any other law enforcement authority in the State of Alabama."

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this House Joint Resolution.

Respectfully,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the resolution, H. J. R. 26:

PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

On motion of Rep. Gafford, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the resolution, H. J. R. 26, said Governor's amendment being set out in the above and foregoing Message from the Governor.

And the resolution, H. J. R. 26 as amended by the amendment proposed by His Excellency, the Governor, was adopted.

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill 49, without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 21st day of October, 1981.

To The Alabama House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill 49 without my signature and approval and with the following suggested Executive Amendments.

On page 2, Section 4, line 20, delete the word "and" appearing after the words "the Department of Public Health" and inserting in lieu thereof:

Also in Section 4, line 20, after the words "the Board of Pardons and Parole" insert: "and Historic Blakely Park".

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this House Bill.

Respectfully,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

The House then proceeded to reconsider the bill:

H. 49. Relating to appropriations for the ordinary expenses of certain of the executive, legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for

the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Finance and to the office of the Secretary of State to implement the provisions of the Alabama Business Corporation Act, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement-Hazardous Waste Control, to Blakely Park for its operations and functions, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

GOVERNOR'S MESSAGE

Rep. Hammett offered the motion that the House non-concur in the amendment proposed by His Excellency, the Governor, to the bill, H. 49.

SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Penry to table the motion to non-concur offered by Rep. Hammett, was lost.

Yeas 27; Nays 32.

Yeas:

Mr. Speaker, Albright, Barton, Bedsole, Buskey, Carter, Cheatwood, Clark (G), Crow, Edwards, Hall, Horn, Jackson, Kennedy, Langford, Lewis, McMillan, Patton, Pegues, Penry, Rains, Reed, Riddick, Roberts, Smith (J), Turner and Waggoner.

—27

Nays:

Reps.: Adams (C), Adams (H), Boles, Bowling, Cates, Coburn, Dial, Dixon, Escott, Gilmer, Grimsley, Hammett, Holley, Holmes, Howard, Johnson (Roy), Laird, Letson, McKee, Manley, Naramore, Ray, Seibels, Smith (C), Smith (M), Starkey, Stewart, Trammell, Venable, Warren, Wyatt and Zoghby.

—32

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 62. COMMENDING CHIEF GEORGE W. SKIPPER AND THE JACKSON, ALABAMA, VOLUNTEER FIRE DEPARTMENT.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Nevett:

H. R. 70. MOURNING THE DEATH OF MAYOR WINFRED E. JACKSON OF MIDFIELD, ALABAMA.

H. 49 RESUMED

The question was then on the motion offered by Rep. Hammett that the House non-concur in the amendment proposed by His Excellency, the Governor, to the bill, H. 49, and the motion was adopted.

Yeas 31; Nays 29.

Yeas:

Reps.: Adams (C), Adams (H), Bowling, Cates, Coburn, Dial, Dixon, Gilmer, Hammett, Holley, Jackson, Johnson (Roy), Laird, Langford, Letson, Lewis, McKee, Manley, Naramore, Pegues, Ray, Seibels, Smith (C), Smith (M), Starkey, Stewart, Trammell, Venable, Warren, Wyatt and Zoghby.

—31

Nays:

Mr. Speaker, Albright, Barton, Bedsole, Boles, Buskey, Carter, Cheatwood, Clark (G), Crow, Edwards, Escott, Gafford, Hall, Kennedy, McMillan, Patton, Payne, Penry, Rains, Reed, Riddick, Roberts, Sasser, Smith (J), Stout, Turner, Waggoner and Williams.

—29

On motion of Rep. Owens, the bill, H. 49, was again read at length and passed, the Governor's veto to the contrary notwithstanding.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Biddle, Boles, Bowling, Buskey, Cabaniss, Carter, Cates, Cheatwood, Clark (G), Coburn, Crow, Daniels, Dixon, Edwards, Escott, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Holley, Holmes, Horn, Howard, Jackson, Johnson (Roy), Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Moore, Naramore, Olive, Owens, Patton, Payne, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Warren, Williams, Wyatt and Zoghby.

—67

Which was a majority of the whole number elected to the House.

RECESS

On motion of Rep. Turnham, the House recessed until 3:30 o'clock p.m.

HOUSE RECONVENED

The hour of 3:30 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 17. PROVIDING FOR THE PLACEMENT AND DISPLAY OF A BUST OR STATUE OF DR. BOOKER T. WASHINGTON ON THE CAPITOL GROUNDS.

Also:

H. J. R. 62. COMMENDING CHIEF GEORGE W. SKIPPER AND THE JACKSON, ALABAMA, VOLUNTEER FIRE DEPARTMENT.

And finds the same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 8. Relating to the City of Gadsden; amending Section 1 of Act No. 63, H. 1, 1978 Second Special Session (Acts 1978, p. 1750), so as to provide further for the salaries of members of the board of commissioners.

Also:

S. 10. To amend Section 22-6-7, Code of Alabama 1975, so as to provide further for the letting of certain contracts by the Medicaid Agency of the State of Alabama.

Also:

S. 12. To amend Section 6-5-333, Code of Alabama 1975, which relates to exemption from liability for dentists constituting utilization and quality control committees, peer review committees or professional standards review committees, so as to provide further for said exemption from liability.

Also:

S. 37. To amend Section 16-13-145 of the Code of Alabama 1975, relating to the finding of county and city boards of education, so as to authorize said boards to participate in the energy conservation financing programs of the Tennessee Valley Authority.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 36. COMMENDING MR. L. W. BRANNAN, JR., OF FOLEY, ALABAMA, DISTINGUISHED PUBLIC SERVANT AND PROMINENT CIVIC LEADER.

Also:

S. J. R. 38. COMMENDING AND CONGRATULATING MR. RAY SCOTT, AND THE BASS ANGLERS SPORTSMAN SOCIETY, ON THE OUTSTANDING SUCCESS OF THE ANNUAL BASS MASTERS CLASSIC.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Teague:

S. J. R. 42. MOURNING THE DEATH OF MR. JOHNNY CRAWFORD OF MONTGOMERY, ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 42, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House.

8th Day

H. 2. To amend Sections 136 and 137 of the Alabama Business Corporations Act, Act No. 80-633, H. 81, 1980 Regular Session (Acts 1980, p. 1094), appearing as Sections 10-2A-260 and 10-2A-261 in 1980 Replacement Volume 7 of the Code of Alabama 1975, so as to provide that information filed by corporations pursuant to Section 40-14-21 and 40-14-22, Code of Alabama 1975, shall constitute and be accepted in lieu of the requirement of filing annual reports under the Sections referred to hereinabove and to amend Section 10-2A-281, Code of Alabama 1975, which provides for fees for filing certain documents, so as to eliminate the fee for filing an annual report.

Also:

H. 10. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame Board so as to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

Also:

H. 51. To provide a supplement to the salaries of district court bailiffs in the Thirteenth Judicial Circuit.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 67. SINE DIE ADJOURNMENT.

McDOWELL LEE,
Secretary.

PERMISSION GRANTED

At the request of Rep. Gilmer, the Journal is directed to show him as a co-sponsor to the bill, H. 29.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive Amendment to the Resolution:

H. J. R. 26. PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

by a majority of the whole number elected to the Senate.

And said Resolution, H. J. R. 26, as amended by the Executive Amendment, was again read at length and adopted by a majority of the whole number elected to the Senate.

And said Resolution, H. J. R. 26, together with the Executive Amendment, is herewith returned to the House.

McDOWELL Lee,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has reconsidered the Bill.

H. 49. Relating to appropriations for the ordinary expenses of certain of the executive, legislative and judicial departments of the state, for other functions of government, for interest on public debt, for capital outlay, and for the public schools for the fiscal year ending September 30, 1982, made by Act No. 81-859, H. 630 of the 1981 Regular Session, so as to further provide for supplemental appropriations to certain of the agencies therein and to make additional supplemental appropriations from the general fund of the state treasury for such fiscal year and from the Polygraph Examiners Fund; making supplemental appropriations to the Military Department for purposes of social security; to the Board of Polygraph Examiners for purposes of the Polygraph Examiners Fund, to the Department of Finance and to the office of the Secretary of State to implement the provisions of the Alabama Business Corporation Act, to the Department of Conservation and Natural Resources for purposes of Outdoor Recreation Sites and Services, to the Department of Public Health for purposes of Environmental Health Improvement-Hazardous Waste Control, to Blakely Park for its operations and functions, and to the Board of Pardons and Paroles for operations and functions of the Board, for supplemental appropriations of \$4,631,383 from the general fund and \$14,000 from the Polygraph Examiners Fund, which appropriations shall be in addition to any and all other funds heretofore and hereinafter appropriated.

And said Bill, H. B. 49, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24: Nays 0.

And said Bill, H. B. 49, together with the Governor's Message containing his objections, is herewith returned to the House.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 2. To amend Sections 136 and 137 of the Alabama Business Corporations Act, Act No. 80-633, H. 81, 1980 Regular Session (Acts 1980, p. 1094), appearing as Sections 10-2A-260 and 10-2A-261 in 1980 Replacement Volume 7 of the Code of Alabama 1975, so as to provide that information filed by corporations pursuant to Section 40-14-21 and 40-14-22, Code of Alabama 1975, shall constitute and be accepted in lieu of the requirement of filing annual reports under the Sections referred to hereinabove and to amend Section 10-2A-281, Code of Alabama 1975, which provides for fees for filing certain documents, so as to eliminate the fee for filing an annual report.

Also:

H. 10. To amend Sections 41-9-720 and 41-9-721 of the Code of Alabama 1975 which provide for the Alabama Aviation Hall of Fame Board so as

to provide further for the location of such hall of fame and meeting procedures of such board and to further designate the terms of certain board members.

Also:

H. 51. To provide a supplement to the salaries of district court bailiffs in the Thirteenth Judicial Circuit.

Also:

H. J. R. 67. Relative to Sine Die Adjournment.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

REPORT ON THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution to-wit:

H. J. R. 26. PROVIDING FURTHER FOR THE AUTHORITY OF THE INTERIM COMMITTEE TO OVERSEE AND MONITOR THE STATE TELEPHONE SYSTEM.

And finds same correctly enrolled with Executive Amendment.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

JACK BIDDLE,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the

Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

HOUSE OF REPRESENTATIVES
STATE OF ALABAMA
SECOND SPECIAL SESSION, 1981
LOBBYIST REGISTRATION
PURSUANT TO JOINT RULES 15-23

NAME	FIRM
Dawn H. Akers	Electronic Data Systems
C. E. Avinger	Alabama Bankers Association
George F. Bailey, Jr.	Alabama Railroad Association
C. W. Bates	United States Pipe and Foundry Co. Jim Walter Resources
James B. Brand, Jr.	Associated Industries of Alabama
Joe Brindley	University of Montevallo
Roy A. Chandler	Electronic Data Systems
Martin William Christic	Jim Walter Corporation U.S. Pipe and Foundry
Robert M. Cleckler, Sr.	Alabama Trial Lawyers Association Independent Bankers of Alabama
William J. Cobb	South Central Bell
Thomas L. Coleman, Jr.	Alabama Department of Public Safety
Fred Crawford	Alabama Hospital Association
James Rudolph Davidson	University of Alabama in Birmingham
Kendall P. Dexter	MacMillan Bloedel, Inc.
Jack F. Douglas	Alabama Citizens Action Program
Michael E. Eader	Alabama Association of School Boards
Sam Engelhardt	Alabama Power Company
Don J. Gilbert	Alabama Independent Bankers Alabama Trial Lawyers Association
Michael G. Graffeo	City of Birmingham
William L. Green	Alabama By-Products Corporation
D. N. Hamilton	Alabama League of Municipalities Am Rec Ins. Association Jim Walter Corporation South Alabama State Fair Association, Inc.

Patrick Harris	Alabama Unified Judicial System
Charles R. Hartsell	Blue Cross/Blue Shield of Alabama
Debra H. Holley	Alabama Association of School Boards
Robert T. Hydrick	The Mead Corporation
Linda B. Jenkins	Alacaid
Wayne F. Lambert	Alabama Bankers Association
Edwin K. Livingston	Alabama Tax Assessors and Collectors
Douglas M. McBee	Fraternal Order of Police
Tom McGregor	Alabama Gas Corporation
H. A. Mawhinney, Jr.	Alabama Wholesale Beer and Wine Association
Bill O'Connor	Alabama Press Association
Jerry A. Powell, Jr.	Alabama Nursing Home Association
W. Eric Rodawig	Household Finance Corporation
Nanette Pregno	United Transportation Union
William L. Roper	Alabama Department of Public Health
Perry Crawford Roquemore, Jr.	Alabama League of Municipalities
O. H. Sharpless	Association of County Commissions of Alabama
Reginald Lee Sorrells	Association of County Commissions of Alabama
Jerry W. Spencer	Modern Banking Association of Alabama
Ronald Lee Spratt	Self
Frank Thiemonge, Jr.	Alabama Safety Council, Inc.
R. Bates Wilson	Jim Walter Corporation U.S. Pipe and Foundry
Robert T. Wilson	Blue Cross

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:50 P. M. on October 21, 1981

H. J. R. 17

H. J. R. 62

Delivered to the Secretary of State at 4:40 P. M. on October 21, 1981.

H. 49. (Governor's objections to the contrary notwithstanding)

Delivered to the Governor at 5:00 P.M. on October 21, 1981.

H. 2

H. 10

H. 51

H. J. R. 67

H. J. R. 26 (Executive Amendment)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Manley and pursuant to the resolution, H. J. R. 67, heretofore adopted, the House adjourned sine die at 4:03 o'clock P.M.

JOHN W. PEMBERTON
Clerk of the House of Representatives,
of the Legislature of Alabama,
Second Extraordinary Session, 1981

HOUSE OF REPRESENTATIVES
SECOND EXTRAORDINARY SESSION, 1981
ALPHABETICAL ROSTER AND DISTRICT NUMBER

Charles H. Adams, 66	Roy W. Johnson, Jr., 47
H. H. "Bill" Adams, 30	Phillip "Phil" B. Kelley, 26
Robert E. Albright, 20	Yvonne Kennedy, 103
John E. Amari, 34	Richard Laird, 61
Park Barton, 46	Charles D. Langford, 77
Ann Bedsole, 101	S. R. "Sam" Letson, 7
Jim Bennett, 37	M. Duane Lewis, 50
Jack Biddle, III, 35	Joe C. McCorquodale, Jr., 92
A. J. Blake, 56	Bob McKee, 79
Hugh Boles, 42	Stephen A. McMillan, 95
William C. "Bill" Bowling, 11	Richard S. "Rick" Manley, 87
Carl C. Brakefield, 12	Preston "Mann" Minus, Jr., 90
James E. Buskey, 99	Earl Mitchell, 89
W. J. "Bill" Cabaniss, Jr., 31	Sonny Moore, Jr., 52
James M. Campbell, 59	Alvis Naramore, 13
Joe R. Carothers, Jr., 71	C. Howard Nevett, 41
Tommy Carter, 16	J. Fred Olive, II, 40
Eric O. Cates, Jr., 84	Walter Owens, 48
Earl Cheatwood, 14	V. M. Parker, 97
George N. Clark, 88	Robert Elliott "Bob" Patton, 8
William Clark, 98	Arthur Payne, 15
Wayne Cobb, 5	Leigh Pegues, 86
Tom C. Coburn, 3	Walter E. Penry, Jr., 94
Steve Cooley, 10	T. Euclid Rains, Sr., 25
W. F. "Noopie" Cosby, Jr., 85	James E. Ray, 68
Bobby C. Crow, 58	Thomas Reed, 67
Gene Daniels, 73	Frank Riddick, 18
Gerald O. Dial, 60	Tommy Ed Roberts, 9
Larry D. Dixon, 81	J. Thomas Sandusky, 100
Bill Drinkard, 29	James G. Sasser, 69
William D. Edwards, 83	George Seibels, 32
Sundra E. Escott, 45	Cecil Shavers, 23
Joe M. Ford, 28	Wallace Shoemaker, 55
Robert C. "Bob" Gafford, 33	Curtis Smith, 53
Charles T. Gilmer, 6	James P. Smith, 17
J. W. "Joe" Goodwin, 4	Martha Jo Smith, 21
Richard Gregg, 19	Nelson R. Starkey, Jr., 2
George H. Grimsley, 70	George Stewart, 104
E. A. Grouby, Jr., 82	J. David Stout, 24
Albert Hall, 22	Hoyt W. Trammell, 36
Seth Hammett, 75	Jerome Tucker, 43
Owen Harper, 62	J. E. Turner, 96
Taylor F. Harper, 105	Pete Turnham, 63
A. L. "Tony" Harrison, 44	Jack B. Venable, 76
Bob Harvey, 27	J. T. "Jabo" Waggoner, Jr., 51
John E. Higginbotham, 1	Shelby Dean Ward, 64
L. Brooks Hines, 91	J. E. "Jimmy" Warren, 93
Jimmy W. Holley, 74	Charles W. Whatley, 65
Alvin Holmes, 80	R. Nolan Williams, 72
William Fred Horn, 39	Gerald Willis, 57
Asbury Howard, 49	Cecil Wyatt, 78
Ronald E. Jackson, 38	Mary S. Zoghby, 102
Ronald G. Johnson, 54	

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA**

SECOND EXTRAORDINARY SESSION

OFFICERS

JOE C. McCORQUODALE, JR., *Speaker*, Jackson

RICHARD S. (RICK) MANLEY
Speaker Pro-Tem, Demopolis

JOHN W. PEMBERTON, *Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	John E. Higginbotham	Rt. 11, Box 158, Florence 35630
2	LAUDERDALE	Nelson R. Starkey, Jr.	158 Cedarcrest Drive, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN	Tom Coburn	1107 E. Third St., Tuscumbia 35674
4	COLBERT, FRANKLIN	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35660
5	FRANKLIN, MARION	Wayne Cobb	Rt. 4, Hamilton 35570
6	LAMAR, MARION, FAYETTE	Charles T. Gilmer	P. O. Box 665, Vernon 35592
7	LAWRENCE, MORGAN	S. R. (Sam) Letson	P. O. Box 256-B, Moulton 35650
8	MORGAN	Robert E. (Bob) Patton	P. O. Box 786, Decatur 35601
9	MORGAN	Tommy Ed Roberts	Brookwood Street, P. O. Box 1298, Hartselle 35640
10	MORGAN, CULLMAN	Steve Cooley	P. O. Box 1186, Cullman 35055
11	CULLMAN, WINSTON	W. C. (Bill) Bowling	Rt. 2, Hanceville 35077
12	WINSTON, WALKER	Carl C. Brakefield	P. O. Box G, Carbon Hill 35549
13	WALKER	Alvis Naramore	5th Avenue, 19th Street, Jasper 35501

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 14 JEFFERSON, BLOUNT
Earl Cheatwood Rt. 1, Box 932, Warrior 35180
- 15 JEFFERSON
Arthur Payne 2825 2nd. St., N. W. Birmingham 35215
- 16 LIMESTONE
Tommy Carter Rt. 2, Box 72, Elkmont 35620
- 17 LIMESTONE, MADISON
James P. (Jim) Smith 108 South Side Square
Huntsville 35801
- 18 MADISON
Frank H. Riddick 7804 Lauderdale Rd., S. W.,
Huntsville 35802
- 19 MADISON
Richard Gregg 4007 Nelson Dr., Huntsville 35810
- 20 MADISON
Robert E. Albright 2024 Stanhope Dr., N. E.,
Huntsville 35811
- 21 MADISON
Martha Jo Smith 1700 Big Cove Rd., S. E.,
Huntsville 35801
- 22 MADISON, JACKSON
Albert Hall P. O. Box 275, Gurley 35748
- 23 JACKSON
Cecil Shavers Jackson County Court House,
Scottsboro 35768
- 24 JACKSON, DeKALB
J. David Stout P. O. Box 1106, Fort Payne 35967
- 25 DeKALB, MARSHALL
T. Euclid Rains, Sr. Rt. 1, Box 326, Albertville 35950
- 26 MARSHALL
Phillip B. (Phil) Kelley Rt. 2, Box 486,
Guntersville 35976
- 27 BLOUNT, ETOWAH, MARSHALL
Bob Harvey Rt. 4, Box 342, Oneonta 35121
- 28 ETOWAH
Joe Ford 117 Arcade St. E., Gadsden 35903
- 29 ETOWAH
Bill Drinkard P. O. Box 372, Gadsden 35902
- 30 ETOWAH, CHEROKEE
H. H. (Bill) Adams Rt. 3, Box 257, Piedmont 36272
- 31 JEFFERSON
W. J. (Bill) Cabaniss P. O. Box 57032,
Birmingham 35209

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 32 JEFFERSON
George Seibels 4016 10th Ave., So., Birmingham 35222
- 33 JEFFERSON
Robert C. (Bob) Gafford 5345 Division Ave.,
Birmingham 35212
- 34 JEFFERSON
John E. Amari 9636 Parkway E., Birmingham 35215
- 35 JEFFERSON
Jack Biddle, III 2256 Pinehurst Dr., Gardendale 35071
- 36 JEFFERSON
Hoyt W. Trammell Rt. 15, Box 247, Birmingham 35224
- 37 JEFFERSON
Jim Bennett Marshall, Bennett & Company
Suite 616, Woodward Bldg.,
1927 1st Ave. N., Birmingham 35203
- 38 JEFFERSON
Ronald E. Jackson 1324 Elmwood St.,
Birmingham 35211
- 39 JEFFERSON
William Fred Horn 333 16th Ave. S. W.,
Birmingham 35211
- 40 JEFFERSON
J. Fred Olive, II 1612 27th St. W., Birmingham 35218
- 41 JEFFERSON
C. Howard Nevett 5028 Parkway Ave., Fairfield 35064
- 42 JEFFERSON
Hugh Boles 1036 Normandale Circle, Hueytown 35020
- 43 JEFFERSON
Jerome Tucker Suite 1722, 2121 Building, 8th Ave. N.,
Birmingham 35203
- 44 JEFFERSON
A. L. (Tony) Harrison 1630 4th Ave., No.,
Birmingham 35203
- 45 JEFFERSON
Sundra E. Escott P. O. Box 8172, Birmingham 35218
- 46 TUSCALOOSA
Park Barton P. O. Box 338, Tuscaloosa 35401
- 47 TUSCALOOSA
Roy W. Johnson, Jr. Route 4, Box 140,
Tuscaloosa 35405
- 48 TUSCALOOSA, BIBB
Walter Owens 107 Court Sq. West, Centreville 35042

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 49 TUSCALOOSA, JEFFERSON
Asbury Howard 1930 Exeter Ave., Bessemer 35020
- 50 JEFFERSON
M. Duane Lewis 1129 4th Ave. N., Bessemer 35020
- 51 JEFFERSON, SHELBY
J. T. (Jabo) Waggoner, Jr. 1829 Mission Rd.,
Birmingham 35216
- 52 JEFFERSON, SHELBY, TALLADEGA
Sonny Moore P. O. Box 44, Sterrett 35147
- 53 CHILTON, SHELBY
Curtis Smith Rt. 3, Box 118, Clanton 35045
- 54 COOSA, TALLADEGA
Ronald G. Johnson Route 5, Box 17,
Sylacauga 35150
- 55 TALLADEGA
Wallace Shoemaker 15 Cliff Rd., Childersburg 35044
- 56 ST. CLAIR, CALHOUN
A. J. Blake Rt. 1, Box 206A, Pell City 35125
- 57 CALHOUN
Gerald Willis Rt. 2, Box 286, Piedmont 36272
- 58 CALHOUN
Bobby C. Crow Rt. 10, Box 842, Anniston 36201
- 59 CALHOUN
James M. Campbell P. O. Box 2003, Anniston 36202
- 60 CLAY, CLEBURNE, TALLADEGA
Gerald O. Dial Box 248, Lineville 36266
- 61 RANDOLPH, CHAMBERS
Richard Laird Bonner Dr., Roanoke 36274
- 62 TALLAPOOSA, CHAMBERS
Owen Harper 502 Lilly Ave., E. Tallassee 36023
- 63 TALLAPOOSA, LEE, CHAMBERS
Pete Turnham P. O. Box 1592, Auburn 36830
- 64 CHAMBERS, LEE
Shelby Dean Ward P. O. Box 689, Opelika 36801
- 65 LEE, RUSSELL, BARBOUR
Charles W. Whatley Rt. 5, Box 296, Opelika 36801
- 66 RUSSELL
Charles Adams P. O. Box 967, Phenix City 36867
- 67 MACON, BULLOCK
Thomas Reed Drawer EE, Tuskegee Institute,
Tuskegee 36088

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 68 **PIKE, COFFEE, BULLOCK, BARBOUR**
James E. Ray 104 Woodland Circle, Troy 36081
- 69 **DALE, BARBOUR, HENRY**
James G. Sasser 1208 Skipperville Rd., Ozark 36360
- 70 **HOUSTON, HENRY, BARBOUR**
George H. Grimsley Rt. 1, Columbia 36319
- 71 **HOUSTON**
Joe Carothers, Jr. Rt. 8, Box 33, Dothan 36301
- 72 **DALE**
R. Nolan Williams Rt. 2, Newton 36352
- 73 **GENEVA, COVINGTON, HOUSTON**
Gene Daniels Rt. 2, Box 207, Samson 36477
- 74 **COVINGTON, COFFEE**
Jimmy W. Holley Rt. 3, Box 191 E. Elba 36323
- 75 **COVINGTON**
Seth Hammett P. O. Box 1418, Andalusia 36420
- 76 **ELMORE**
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- 77 **MONTGOMERY**
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- 78 **MONTGOMERY, CRENSHAW**
Cecil Wyatt P. O. Box 1, Ramer 36069
- 79 **MONTGOMERY**
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- 80 **MONTGOMERY**
Alvin Holmes P. O. Box 6064, Montgomery 36106
- 81 **MONTGOMERY**
Larry Dixon State Board Medical Examiners
P. O. Box 946, Montgomery 36102
- 82 **AUTAUGA, ELMORE, LOWNDES, MONTGOMERY**
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- 83 **WILCOX, LOWNDES, DALLAS**
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- 84 **BUTLER, CRENSHAW**
Eric O. Cates, Jr. Rt. 2, Box 320, Greenville 36037
- 85 **DALLAS, AUTAUGA**
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- 86 **DALLAS, PERRY, MARENGO**
Leigh Pegues 204 East Early St., Marion 36756

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 87 MARENGO, SUMTER, HALE, GREENE
Richard S. (Rick) Manley P. O. Drawer U,
Demopolis 36732
- 88 GREENE, PICKENS, TUSCALOOSA, HALE
George Clark Box 6, Eutaw 35462
- 89 TUSCALOOSA, PICKENS
Earl Mitchell P. O. Box 426, Northport 35476
- 90 SUMTER, CHOCTAW
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Livingston 35470
- 91 ESCAMBIA
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- 92 CLARKE, MONROE
Joe C. McCorquodale, Jr. P. O. Box 928,
111 W. Church St., Jackson 36545
- 93 MONROE, CONECUH, ESCAMBIA
J. E. (Jimmy) Warren P. O. Box 207,
Castleberry 36432
- 94 BALDWIN
Walter E. Penry, Jr. Rt. 2, Box 286, Daphne 36526
- 95 BALDWIN, MOBILE
Stephen A. McMillan P. O. Box 337, Bay Minette 36507
- 96 WASHINGTON, MOBILE
J. E. Turner P. O. Box 777, Citronelle 36522
- 97 MOBILE
V. M. Parker 504 Woodlore Dr., Chickasaw 36611
- 98 MOBILE
William Clark P. O. Box 10434, Prichard 36610
- 99 MOBILE
James E. Buskey 2207 Barretts Lane, Mobile 36617
- 100 MOBILE
J. Thomas (Tommy) Sandusky P. O. Box 9338,
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- 101 MOBILE
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- 102 MOBILE
Mary S. Zoghby 2862 Hilburn Dr., Mobile 36606
- 103 MOBILE
Yvonne Kennedy 1205 Glennon Ave., Mobile 36603
- 104 MOBILE
George Stewart 4413 S. Shan Dr., Mobile 36609
- 105 MOBILE
Taylor F. Harper P. O. Box 208, Grand Bay 36541

**ROSTER OF THE
SENATE OF ALABAMA
SECOND EXTRAORDINARY SESSION, 1981**

George D. H. McMillan, Jr., *Lieutenant Governor*
State Capitol, Montgomery

Finis St. John, *President Pro-Tem*
Cullman

McDowell Lee, *Secretary*
Montgomery

Mrs. William R. Lawley, Jr., *Chief Clerk*
Montgomery

DISTRICT NO. 1

Bobby Denton 1st Colbert Nat'l Bank, P.O. Drawer B,
Sheffield 35660

DISTRICT NO. 2

Charlie Britnell Northwest Alabama State
Junior College, Phil Campbell 35851

DISTRICT NO. 3

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Birmingham 35215

DISTRICT NO. 6

Albert McDonald Route 1, Madison 35758

DISTRICT NO. 7

Bill Smith 2009 Gallatin St. S.W.,
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DISTRICT NO. 8

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DISTRICT NO. 34

H. L. "Sonny" Callahan P. O. Box 1208, Mobile 36601

DISTRICT NO. 35

Bob Glass 733 Lakeshore Dr. W., Mobile 36609

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JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
THIRD
EXTRAORDINARY
SESSION OF 1981

HELD IN THE CITY OF MONTGOMERY,
COMMENCING TUESDAY, NOVEMBER 3, 1981



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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
THIRD EXTRAORDINARY
SESSION OF 1981

FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, November 3, 1981

Be it remembered that on the third day of November, His Excellency, Fob James, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, Fob James, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 5:30 P.M., Tuesday, November 3, 1981, and I do hereby designate the following subjects and matters, which I as Governor deemed necessary to be considered and acted upon by said Legislature in extraordinary session assembled:

1. A Constitutional Amendment to create and provide for the management of a permanent trust fund to consist of investments acquired with monies derived by the State from the past and future disposition of its rights in offshore oil, gas and other hydrocarbon minerals.
2. A Constitutional Amendment authorizing the State to issue in interest bearing General Obligation Bonds, Notes, or other evidences of indebtedness for capital and other purposes.
3. Legislation relating to the issuance by the State of its General Obligation Bonds, Notes or other evidences of indebtedness.
4. Legislation to make appropriation for public roads, highways and bridges in the State.

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1st Day

5. Legislation to make appropriation for public schools in the State.

6. Legislation to make appropriations for the purpose of paying the counties of the State for costs of housing State prisoners.

7. Legislation to make appropriations for the support and encouragement of educational and industrial activities involving basic and applied scientific research and development.

8. A Constitutional Amendment authorizing the use of funds of the State to pay expenses incurred by the Alabama Housing Finance Authority in issuing bonds to finance housing for private persons.

9. Legislation removing the limitation on the power of the Alabama Housing Finance Authority to issue its bonds after March 31, 1982, and to make appropriation to pay the costs of providing services and other bond issuance costs in connection with such bonds.

10. Legislation to amend Chapter 1A of Article 3 of Title 24 of the Code of Alabama 1975.

11. Legislation to make appropriation for the Department of Mental Health and the Board of Corrections supplemental to or in lieu of previously made appropriations.

12. Local Legislation.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this 29th day of October, 1981.

FOB JAMES,
Governor.

ATTEST:

DON SIEGELMAN
Secretary of State

In pursuance whereof, at the hour of 5:30 O'clock p.m., on Tuesday, the third day of November, 1981, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

PRAYER

The session was opened with prayer by Reverend Jake Brown, First United Methodist Church, Jackson, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy),

Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Rep. Manley:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and three members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 2 was adopted.

COMMITTEE APPOINTED

The Speaker appointed as a committee on the part of the House, Reps. Venable, McMillan and Barton.

Also:

By Rep. Manley:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on Tuesday, November 3, 1981, for the purpose of hearing the message of the Honorable Fob James, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of three from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above, for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 3, was adopted.

COMMITTEE APPOINTED

The Speaker appointed as a committee on the part of the House, Reps. Cates, Clark (G) and Riddick.

Also:

By Rep. Manley:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when we adjourn on Tuesday, November 3, 1981, we adjourn to meet again on Wednesday, November 4; when we adjourn on Wednesday, November 4, we adjourn to meet again on Thursday, November 5; and when we adjourn on Thursday, November 5, we adjourn to meet again on Tuesday, November 10, 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 4, was adopted.

Also:

By Rep. Manley:

H. R. 5. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Tuesday, November 3, 1981, we adjourn to meet again on Wednesday, November 4, 1981, at 4:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 5, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to advise the House that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Biddle, Willis, Carter, Roberts, McMillan, Warren, Ray and Ward:

H. 1. To establish a lifetime resident hunting license, a lifetime resident fishing license, and a combination lifetime resident hunting and fishing license; to provide for the deposit of the proceeds into a special account in the Game and Fish Fund, to be called the Alabama Game and Fish Endowment Fund, and to prescribe the manner in which said account will be administered.

Natural Resources.

By Rep. Manley:

H. 2. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

Judiciary.

By Rep. Manley:

H. 3. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

Judiciary.

By Rep. Manley:

H. 4. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Judiciary.

By Rep. Cobb (With Notice and Proof):

H. 5. Relating to Marion County; amending Section 1 of Act No. 108, H. 78, 1978 Regular Session (Acts 1978, p. 1825), relating to an additional expense allowance for members of the county board of education, so as to increase the amount of such allowance.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 5, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Smith (J) (With Notice and Proof):

H. 6. To authorize a procedure whereby the Sheriff of Madison County, Alabama is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the Sheriff's Department of Madison County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Madison County, Alabama or by posting in a conspicuous place at the Madison County Courthouse; to provide that the first publication or posting of said notice shall be twenty days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Madison County, Alabama may redeem the same at anytime prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the office of the Sheriff of Madison County, Alabama.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 6, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Smith (J) (With Notice and Proof):

H. 7. Relating to Madison County; to provide for an additional expense allowance for the members of the jury commission of said county.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 7, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Smith (J) (With Notice and Proof):

H. 8. To authorize the Limestone County governing body to reimburse any officer or employee of the county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority from the general fund of the county; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this Act and to establish reasonable rules and regulations prescribing the conditions on which payments under this Act shall be made.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 8, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Smith (J) (With Notice and Proof):

H. 9. To authorize the Madison County governing body to reimburse any officer or employee of the county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority from the general fund of the county; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this Act and to establish reasonable rules and regulations prescribing the conditions on which payments under this Act shall be made.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 9, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Lewis, Jackson, Bennett and Howard (With Notice and Proof):

H. 10. Relating to Jefferson County in regard to establishing the salary of the Deputy Probate Judge.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 10, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Barton, Sasser and Ray:

H. 11. To amend Act No. 81-665, H. 327, Regular Session 1981, which provides for the levy of a sales tax on the sale of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale in this state from any person, firm or corporation not a licensed dealer engaged in selling automotive vehicles, truck trailers, semitrailers, or house trailers within the state; to provide that the tax collector collect the tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer; to provide for the levy of an excise or use tax in lieu of the excise tax levied by Section 40-23-61 (c), Code of Alabama 1975, as amended on the storage, use or other consumption in the state of any automotive vehicle, truck trailer, semitrailer, or house trailer required to be registered or licensed with the judge of probate or other licensing authority of any county in this state and purchased other than at wholesale outside the state on or after July 1, 1981, for storage, use or other consumption in this state; to require the tax collector to collect such tax from the purchaser before the registration or licensing of any such automotive vehicle, truck trailer, semitrailer, or house trailer in this state; to provide for the allowance of a fee on taxes collected to the tax collector; to provide for the distribution of the tax collected; to require the license commissioner to collect the tax in counties where such office has been established pursuant to a local law or general law of local application; and to provide for reciprocity so as to increase the fees for the collection of such tax.

Ways and Means.

By Rep. Ray:

H. 12. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Local Government.

By Reps. Howard and Lewis (With Notice and Proof):

H. 13. To increase from fifty dollars per month to two hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 13, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Edwards:

H. 14. To confer the power to grant franchises upon the County Commissions of the several counties in this state in relation to the operation of community antenna television facilities; to empower the said County Commissions to set up reasonable rules and regulations governing the exercise of rights granted by the said franchises; to grant franchises and regulate such franchises in certain counties; to authorize and empower the said County Commissions to levy a license tax and fix the amount of said tax on the business performed under said franchise.

Local Government.

By Rep. Smith (J):

H. 15. To amend Section 1 of Act No. 81-967 of the first special session of the Alabama Legislature in 1981 by further amending § 43-3-10 Code of Alabama 1975, which provides for descent and distribution of personalty.

Judiciary.

By Rep. Jackson (With Notice and Proof):

H. 16. To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to provide that both the number and salary of the mayor's assistants shall be determined by the mayor.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 16, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Jackson (With Notice and Proof):

H. 17. Relating to Class I municipalities, to authorize the mayor of any Class I city of this state to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor, to provide that the salary of the Chief Administrative Assistant shall be determined by the Mayor, and to provide that such employee shall not be subject to any merit system.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 17, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Bowling:

H. 18. To define the criminal offense of illegal possession of food stamps; to classify the degrees of such offense; and to prescribe punishment for the commission of such offense.

State Administration.

THIRD EXTRAORDINARY SESSION
1st Day

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By Rep. Horn:

H. 19. To transfer funds from the General Fund to the credit of the Alabama Special Educational Trust Fund.

Ways and Means.

By Rep. Hall (With Notice and Proof):

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 20, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Carter and Roberts:

H. 21. To state the intent of the Legislature; to amend § 34-24-70 of the Code of Alabama, 1975, to state the qualifications required of applicants by examination or by reciprocity; to distinguish between graduates of colleges of medicine and colleges of osteopathy located in the United States or District of Columbia and other such graduates; to permit receipt of satisfactory evidence showing graduation in lieu of a diploma; to delete the requirement that a graduate of a foreign medical or osteopathic school complete a residency; to delete the requirement that a graduate of a foreign medical or osteopathic school be eligible to take the examination of an approved specialty board; to amend the requirement that a graduate of a foreign medical or osteopathic school be certified by the educational council for foreign medical graduates so that such graduate must only have received a passing grade on the written examination; to require that graduates of foreign medical or osteopathic schools complete at least one year of internship at a hospital approved by the board of medical examiners; to delete the provision of § 34-24-70 that relates to county licenses; to require graduates of foreign medical or osteopathic schools and graduates of medical or osteopathic schools located in the United States or District of Columbia who have not passed a specified written examination within the ten years immediately preceding the date of the application to successfully complete an oral examination; to exempt from such oral examination applicants who have been certified by an approved specialty board or who have passed a recertification examination given by an approved board within the same ten year period; and to provide rule making authority.

Health.

By Reps. Amari and Bennett:

H. 22. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

Judiciary.

By Reps. Turnham, Sasser and Owens:

H. 23. To amend Section 29-1-9, Code of Alabama 1975, relating to compensation of legislative interim committees, so as to remove the one-time mileage restriction.

Ways and Means.

By Reps. Minus, Edwards, Cosby, Grouby and Bennett:

H. 24. To prescribe that no more than one commercial hazardous waste treatment facility or disposal site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste treatment facility or disposal site.

Judiciary.

By Rep. Minus (With Notice and Proof):

H. 25. Relating to Sumter County; to amend Sections 2, 3, 6 and 7 of Act No. 81-224, H. 140, Regular Session 1981 (Acts 1981, p. 298), relating to reidentification of registered voters, so as to provide further for such reidentification.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 25, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Campbell:

H. 26. To amend sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Constitution and Elections.

By Reps. Stout and Drinkard:

H. 27. To amend Section 7 of Act No. 81-721, H. 769 of the 1981 Regular Session (Acts 1981, page 1227) which authorizes the incorporation and organization of a public corporation in the state to be named the Alabama synfuels development authority for the purpose of furthering the development of synthetic fuels, so as to grant the authority the power to convey to any private corporation for fair market value any real, personal or mixed property necessary or convenient to the authority in the performance of its duties.

Local Government.

By Rep. Dial:

H. 28. To prescribe that all public school systems shall allow official recruiting representatives of the armed or military forces of the United States or of the state reasonable access to their facilities and students for the purpose of presenting recruiting programs, administering tests, and generally informing students on occupational and educational options.

Military Affairs.

By Rep. Mitchell (With Notice and Proof):

H. 29. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 29, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Mitchell (With Notice and Proof):

H. 30. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 30, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Rains and Stout (With Notice and Proof):

H. 31. Relating to DeKalb County; to provide for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 31, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. McKee:

H. 32. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

Ways and Means.

By Rep. McKee:

H. 33. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

Ways and Means.

By Rep. McKee:

H. 34. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Ways and Means.

By Reps. Riddick, Albright and Hall (With Notice and Proof):

H. 35. Relating to Madison County; providing for the county governing body to reimburse the office of license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 35, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Smith (C):

H. 36. To amend section 16-13-1, Code of Alabama 1975, which sets the fiscal year for all boards of education, so as to change the dates of said fiscal year.

Education.

By Reps. Cates, Manley, Dial, Pegues, Owens, Sasser, Carter, Warren, Ray, Daniels, Smith (C), Edwards, Grouby, McKee, Willis, Grimsley, Laird, Turner, Shoemaker, Hammett, Holley and Penry:

H. 37. To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

Ways and Means.

By Reps. Holley and Ray (With Notice and Proof):

H. 38. Relating to Coffee County; providing for a referendum election to submit to the qualified electors of Coffee County the question whether the Coffee County Commission shall be authorized to levy and impose a county sales tax and a county use tax; providing for the authority of the Coffee County Commission to levy such taxes generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, respectively; providing certain additional exemptions from such taxes;

specifying the rates at which those taxes may be levied; providing for the ascertainment, collection, payment, distribution and use of the proceeds of those taxes if levied by the Coffee County Commission, and for the enforcement of this Act by the State Department of Revenue; providing for the termination of the taxes authorized to be levied hereunder; and prescribing penalties and fixing punishment for violations of this Act.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 38, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Olive, Gafford, Lewis, Bennett and Boles (With Notice and Proof):

H. 39. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 39, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Gafford, Olive, Trammell and Bennett (With Notice and Proof):

H. 40. To establish the salaries for the following officers of Jefferson County, Alabama: The President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide that the salaries as fixed by this Act shall take effect at the beginning of the next terms of office of said officers and the beginning of each term of office of said officers thereafter.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 40, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner and Bennett:

H. 41. To exempt Birmingham Football Foundation, Inc., Birmingham, Alabama, from the payment of state, county or municipal sales or use taxes.

Ways and Means.

By Reps. Gafford, Trammell, Olive, Waggoner and Bennett (With Notice and Proof):

H. 42. To establish the salary for the Sheriff of Jefferson County, Alabama: and to provide that the salary as fixed by this Act shall take effect at the beginning of the next term of office of said officer and the beginning of each term of office of said officer thereafter.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 42, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Waggoner (With Notice and Proof):

H. 43. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 43, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Harper (T) (With Notice and Proof):

H. 44. Relating to Mobile County; requiring a fiscal note for any new proposed program or policy or for any proposed change in an existing program or policy of the county board of education.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 44, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Harper (T):

H. 45. To amend sections 11-50-273 and 11-50-323 of the Code of Alabama 1975 relating to exemption of certain public utilities from regulation of the public service commission, so as to provide further for such exemption.

Local Government.

By Rep. Wyatt:

H. 46. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice and consent of a select committee, and to provide for the interest earned by said fund.

Banking.

The above bill was read a first time at length as required by the Constitution.

By Rep. Owens (With Notice and Proof):

H. 47. Relating to Tuscaloosa County; amending Section 2 of Act No. 613, H. 1289, 1977 Regular Session (Acts 1977, p. 922), which relates to voter registration and the duties and compensation of the county board of registrars; and repealing Sections 11 and 12 of said Act.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 47, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Owens (With Notice and Proof):

H. 48. Relating to Bibb County; authorizing the county board of education to fix an expense allowance for the county superintendent of education in such amount as said board deems appropriate and providing that such expense allowance shall be in lieu of all other expense allowances heretofore provided for said superintendent.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 48, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Owens:

H. 49. To make a supplemental appropriation for salaries and other expenses for the use of the House of Representatives and the Alabama Senate for the fiscal year ending September 30, 1982, from the general fund of the state treasury.

Ways and Means.

By Reps. Cates and Wyatt (With Notice and Proof):

H. 50. Relating to Crenshaw County; amending Sections 1 and 2 of Act No. 775, S. 158 of the 1975 Regular Session (Acts 1975, p. 1563), fixing the issuance fee for pistol permits and providing for the distribution therefor, so as to increase such fee and prescribe that funds generated thereby be deposited in the county general fund.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 50, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Cates and Wyatt (With Notice and Proof):

H. 51. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 51, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Venable:

H. 52. To provide that any state employee who received a step increase limited under the provisions of Act 80-616, Regular Session 1980, shall be brought up to the normal step under the State Pay Plan.

Ways and Means.

By Rep. Hammett (With Notice and Proof):

H. 53. Relating to Covington County; to provide for a pistol permit fee, to provide for the disposition of such fees, and to specifically repeal Act No. 898, H. 1672, Regular Session 1971 (Acts 1971, p. 1662).

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 53, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Holmes (With Notice and Proof):

H. 54. Relating to the City of Montgomery and Montgomery County; prescribing further for legal notices of the municipality and county and the manner of publication; prohibiting such publication in newspapers with a circulation of less than provided herein; and repealing conflicting laws.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 54, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Holmes (With Notice and Proof):

H. 55. Relating to Montgomery County and the City of Montgomery; to provide further for the membership of the city-county personnel board.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 55, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Holmes (With Notice and Proof):

H. 56. Relating to Montgomery County; to provide an additional expense allowance for the members of the Board of Education.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 56, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Zoghby, Harper (T) and Turner:

H. 57. To amend Section 17-4-138 of the Code of Alabama 1975, relating to the judge of probate, clerical assistants and certain boards of registrars and the preparation of lists of qualified electors, so as to provide further for the payment therefor.

Local Government.

By Rep. Gafford:

H. 58. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice of a select committee. The select committee may pledge any portion of the reserve fund.

Banking.

The above bill was read a first time at length as required by the Constitution.

By Rep. Harper (O) and Turnham (With Notice and Proof):

H. 59. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 59, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Horn (With Notice and Proof):

H. 60. To provide members of the governing body of Class I cities in Alabama and all cities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits; to provide that this act supercedes the provisions of Sections 1 and 2 of Act No. 129 of the Regular Session of the Legislature of 1965 (Acts of Alabama 1965, pp. 194-195), that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 60, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Horn (With Notice and Proof):

H. 61. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 61, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Holley:

H. 62. To amend Section 37-1-141, Code of Alabama, 1975, which relates to appeals from orders of the Public Service Commission so as to prohibit the collection of all or any portion of a requested rate increase denied by the Public Service Commission.

State Administration.

By Reps. Kennedy, Warren, Buskey, Clark (W), Stewart, Harper (T), Turner, McMillan and Zoghby:

H. 63. To provide for emergency telephone call boxes on Interstate Highway 65 between Montgomery and Mobile and appropriates necessary funds.

Ways and Means.

By Rep. Whatley:

H. 64. Relating to the eradication of brucellosis in livestock: To make an appropriation to the Department of Agriculture and Industries for the fiscal year 1981-1982 from the general fund into the agricultural fund; to indemnify owners of livestock for the value of any livestock ordered condemned and destroyed for the prevention of brucellosis in livestock.

Ways and Means.

By Rep. Whatley:

H. 65. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

Agriculture and Forestry.

By Rep. Whatley:

H. 66. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

Agriculture and Forestry.

By Reps. Whatley and Ward:

H. 67. To permit the sale, conveyance, lease or other disposition of water systems (or portions thereof) of certain non-profit entities to certain public authorities or corporations without the necessity of any approval or consent of the Public Service Commission.

Local Government.

By Rep. Bowling:

H. 68. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Reps. Bedsole, Harper (T), Clark (W), Sandusky, Buskey, Stewart, Zoghby, Parker, Kennedy, Turner, McMillan and Hines:

H. 69. To amend further section 17-10-5, Code of Alabama 1975, relating to absentee voting, so as to require the posting of only the name on the list of absentee voting applications each day on the regular bulletin board or other public place in the county courthouse.

Constitution and Elections.

By Rep. Horn (With Notice and Proof):

H. 70. To confer upon the County Commission of Jefferson County the power to levy and collect a county sales tax, or a county license tax, or to levy and collect both of said taxes, subject to the condition that any tax levied under the act shall be used solely for the purpose of providing public transit service within the county and to the other conditions enumerated in the act, and to provide an exemption from any tax levied hereunder within any municipality which levies, collects, and pays over to any transit authority organized under Act No. 993 of the 1971 Regular Session of the Legislature, the proceeds of a tax, or taxes, similar to that levied by the county which is identical as to rate and incidence of taxation.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 70, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Clark (G), Drinkard, Mitchell, Moore, Shoemaker, Dial, Roberts, Sandusky, Carter, Venable, McMillan, Cabaniss, Hall, Cosby, Patton, Harper (T), Minus, Bedsole, Pegues, Smith (J) and Penry:

H. 71. To implement the provisions of an amendment to the Constitution of Alabama of 1901 authorizing the State of Alabama to become indebted

and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvements consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; to pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on said bonds; to create a bond commission with authority to determine the details of said bonds and to sell and issue the same; to provide for the terms, execution and issuance of said bonds; to provide for the investment and reinvestment of the proceeds of such bonds pending the disbursement thereof; to allocate the proceeds of said bonds, together with the investment income derived from said proceeds, to the purposes for which they are to be expended; to authorize the issuance of refunding bonds for the purpose of refunding any outstanding bonds issued pursuant to this Act; and to exempt from taxation in the State all bonds issued pursuant to this Act and the income therefrom.

Ways and Means.

By Reps. Clark (G), Drinkard, Owens, Moore, Shoemaker, Dial, Sandusky, Roberts, Carter, Venable, McMillan, Cabaniss, Hall, Cosby, Mitchell, Harper (T), Bedsole, Pegues, Penry, Starkey and Smith (J):

H. 72. To propose a self-executing amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its' rights in offshore oil, gas and other hydrocarbon minerals, create a board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, and limit the liability of individual members of the board of trustees of such trust fund.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Reps. Clark (G), Drinkard, Owens, Moore, Shoemaker, Roberts, Carter, Sandusky, Venable, McMillan, Harper (T), Cabaniss, Bedsole, Hall, Cosby, Mitchell, Minus, Pegues, Starkey, Smith (J) and Penry:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be certain moneys derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Ways and Means.

By Reps. Clark (G), Drinkard, Owens, Moore, Shoemaker, Dial, Roberts, Sandusky, Carter, Venable, McMillan, Harper (T), Cabaniss, Cosby, Bedsole, Mitchell, Minus, Hall, Pegues, Starkey, Smith (J) and Penry:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

Ways and Means.

By Reps. Clark (G), Drinkard, Owens, Moore, Shoemaker, Dial, Carter, Roberts, Venable, McMillan, Cabaniss, Cosby, Patton, Mitchell, Harper (T), Minus, Pegues, Bedsole, Hall, Starkey, Smith (J) and Penry:

H. 75. To propose an amendment to the Constitution of Alabama of 1901 that will authorize the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvement consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the

renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; that will authorize the refunding of said bonds through the sale and issuance of refunding bonds; that will pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on all bonds issued pursuant to said amendment; and that will provide certain terms and conditions with respect to the sale and issuance of bonds issued pursuant to said amendment.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Reps. Clark (G), Drinkard, Owens, Moore, Shoemaker, Dial, Sandusky, Roberts, Carter, Venable, McMillan, Cabaniss, Cosby, Patton, Mitchell, Minus, Pegues, Starkey, Smith (J) and Penry:

H. 76. To appropriate ten million dollars (\$10,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the support and encouragement of educational, agricultural and industrial activities involving basic and applied scientific research and development.

Ways and Means.

By Reps. Clark (G), Drinkard, Moore, Shoemaker, Roberts, Carter, Sandusky, Venable, McMillan, Harper (T), Cabaniss, Bedsole, Cosby, Mitchell, Minus, Owens, Hall, Pegues, Starkey, Smith (J) and Penry:

H. 77. To propose an amendment to the Constitution of Alabama of 1901 authorizing the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, and providing that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Reps. Clark (G), Drinkard, Moore, Hall, Shoemaker, Owens, Dial, Roberts, Sandusky, Carter, Venable, McMillan, Harper (T), Cabaniss, McKee, Cosby, Bedsole, Mitchell, Minus, Pegues, Starkey, Smith (J) and Penry:

H. 78. To appropriate six million dollars (\$6,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

Ways and Means.

By Reps. Clark (G), Drinkard, Moore, Shoemaker, Owens, Dial, Roberts, Carter, Venable, McMillan, Harper (T), Cabaniss, Bedsole, Hall, Cosby, Mitchell, Minus, Pegues, Starkey, Smith (J) and Penry:

H. 79. To repeal Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Finance Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982.

Ways and Means.

By Rep. Gafford:

H. 80. To establish the Permanent Legislative Oversight Committee on the spending or expenditure of any funds from any permanent trust fund, interest bearing general obligation bonds, notes or other evidences of indebtedness, bond issues or interest accrued or accruing, derived, directly or indirectly, by the state from the past and future dispositions of its rights in offshore oil, gas and other hydrocarbon minerals, pursuant to any legislation in the 1981 Third Special Session of the Legislature; to provide for the appointment of the membership, powers of the committee, meetings, legislative compensation and per diem, mileage and travel expenses; to provide that such compensation, per diem, mileage and travel expenses shall be paid out of any funds in the general fund of the state treasury as a result of such legislation.

Banking.

By Reps. Boles, Trammell, Moore, Holmes, Payne, Olive, Cheatwood, Johnson (Roy), Howard, Horn, Dixon, Jackson, Brakefield, Carter, Bowling, Smith (C), Bennett, Lewis, Starkey, Riddick, Langford, Patton, Letson, Turnham, Naramore, Williams, Rains, Cosby, Minus, Blake, Willis, Crow, Harper (O), Grimsley, Laird, Whatley, Adams (C), Mitchell, McMillan, Ray, Hammett, Penry, Turner, Clark (W), Buskey, Stewart, Kennedy, Albright, Wyatt, Gilmer, Nevett, Reed, Harvey, Harper (T), Zoghby and Escott:

H. 81. To authorize the state treasurer to contract with banks in the state for the deposit and investment of state funds.

Ways and Means.

By Rep. Harvey (With Notice and Proof):

H. 82. To authorize the Blount County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 82, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Starkey:

H. 83. To amend Section 28-3-74 (e) of the Code of Alabama 1975, to provide that when a county changes its status from a dry county to a wet county that such county will be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year. To further provide that a newly created municipality in a wet county shall be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year.

Ways and Means.

LEAVE OF ABSENCE

At the request of Rep. Riddick, leave of absence was granted for Rep. Smith (M), due to illness.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Holmes:

H. J. R. 6. VOICING OPPOSITION OF THE LEGISLATURE TO THE U.S. SENATE'S APPROVAL OF THE SALE OF AWACS RADAR PLANES TO SAUDI ARABIA.

WHEREAS, the Alabama Legislature expresses deep disappointment and regret of the recent rubber-stamp approval by the United States Senate of President Reagan's proposed sale of AWACS radar planes to Saudi Arabia; and

WHEREAS, the Saudi Arabian government has consistently supported terrorist organizations such as the PLO; and

WHEREAS, Saudi Arabia has maintained its support of such radical governments as that of Colonel Muammar al-Qaddafi of Libya; and

WHEREAS, such sanction by the Senate of the AWACS sale is an insult to our staunch ally, the Jewish State of Israel; and

WHEREAS, though we are appreciative of the oil this country receives from Saudi Arabia, freedom and peace in the world is the primary concern and objective of the United States; and

WHEREAS, the AWACS sales agreement can only serve to further the cause of turmoil and destruction in a world already racked with strife; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express utmost disapproval of the recent Senate action with regard to the AWACS sale of radar planes to Saudi Arabia.

BE IT FURTHER RESOLVED, That a copy of this resolution be dispatched forthwith to Senators Heflin and Denton of Alabama for the purpose of advising their colleagues in the United States Senate of our opposition to the AWACS sales agreement.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Holmes offered the motion to suspend the rules and adopt the resolution, H. J. R. 6.

DIVISION OF THE QUESTION

Rep. Carothers called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion by Rep. Holmes to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 6, and the motion was lost.

Yeas 8; Nays 32.

Yeas:

Reps. Blake, Buskey, Drinkard, Holmes, Horn, Howard, Nevett and Reed.

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Nays:

Reps. Bedsole, Brakefield, Cabaniss, Carothers, Carter, Cates, Clark (G), Cosby, Gilmer, Grimsley, Grouby, Hammett, Letson, Lewis, McKee, McMillan, Manley, Mitchell, Naramore, Owens, Parker, Patton, Payne, Pegues, Roberts, Sasser, Smith (C), Starkey, Turnham, Venable, Williams and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The resolution, H. J. R. 6, was read and referred to the Standing Committee on Rules.

Also:

By Reps. Penry and McMillan:

H. J. R. 7. NAMING WEEKS BAY PARK IN BALDWIN COUNTY, ALABAMA, THE "WILLIAM O. LOTT MEMORIAL PARK."

WHEREAS, in the early 1950's, Mr. William O. Lott of Mobile, and of Point Clear, Alabama, donated approximately two acres of land in Baldwin County to the State of Alabama; and

WHEREAS, the acreage which is located at the foot of Baldwin County Road 1, where Weeks Bay meets Mobile Bay, contains some 500 feet of bay frontage for boat launching, crabbing and fishing; and

WHEREAS, Mr. William O. Lott, who was born near Lott Ferry on the Cawtawpa River, was a prosperous Mobile businessman; he also was a generous and caring person who, in gratitude for his own good fortune, was moved to share with others the rewards of his success; and

WHEREAS, the Weeks Bay park is now undergoing extensive renovation to repair the ravages of Hurricane Frederic and it is entirely fitting that the park be named in honor of the distinguished Alabamian who so generously gifted this land to the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in gratitude and in memory, we hereby name and designate the Weeks Bay park located at the foot of Baldwin County Road 1, at the junction of Weeks and Mobile Bays in Baldwin County, Alabama, the "William O. Lott Memorial Park."

BE IT FURTHER RESOLVED, That the proper officials of the Alabama Department of Conservation are directed to erect and maintain appropriate signs and markers so designating said park as the "William O. Lott Memorial Park."

BE IT FURTHER RESOLVED, That the family of William O. Lott be notified of this honorary designation by copy of this resolution forwarded to Colonel William Blacksher Lott.

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 7, was adopted.

Also:

By Reps. Turner, Harper (T), McMillan, Bedsole, Kennedy, Parker, Stewart, Zoghby and Buskey:

H. J. R. 8. CONDEMNING THE INDISCRIMINATE ISSUANCE OF HUNTING PERMITS BY THE SCOTT PAPER COMPANY.

WHEREAS, The Mobile Mill of the Scott Paper Company has habitually and indiscriminately issued hunting permits to persons who consistently violate the game laws of our state; and

WHEREAS, not only have there been numerous instances of hunters killing game out of season, but many of those hunting with permits issued by Scott Paper Company have been guilty of flagrant violations of safety procedures; and

WHEREAS, on two occasions recently, hunters shot and killed two cows belonging to area residents, incidents which would not have occurred had the guilty parties been observing even the most basic hunting rules; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in severest condemnation of the heretofore indiscriminate practice of the Scott Paper Company, we hereby call upon said company to devise forthwith a right and proper procedure for the issuance of hunting permits and to further devise acceptable methods for protecting out-of-season game as well as livestock in the area.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Vice President of the Mobile Mill of Scott Paper Company.

The resolution, H. J. R. 8, was read and referred to the Standing Committee on Rules.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Hall and Albright:

H. R. 9. HONORING MRS. ANNA MARIE OSMER OF GURLEY, MADISON COUNTY, ALABAMA.

Also:

By Reps. Higginbotham and Starkey:

H. R. 10. HONORING MR. JOHN FINLEY, JR., UPON HIS RETIREMENT AS DIRECTOR OF KILBY TRAINING SCHOOL OF THE UNIVERSITY OF NORTH ALABAMA IN FLORENCE.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Keener:

S. J. R. 1. COMMITTEE APPOINTED TO NOTIFY GOVERNOR LEGISLATURE IS IN SESSION.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a Committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and, if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Keener, Gullledge, and Britnell.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 1, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

RECESS

On motion of Rep. Manley, the House stood in informal recess to the call of the Chair.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

JOINT SESSION

The hour of 6:30 o'clock p.m. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in Joint Session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 3 heretofore adopted, for the purpose of hearing an address by the Honorable Fob James, Governor of the State of Alabama.

The Joint Session was called to order by the Honorable George D. H. McMillan, Jr., Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, Fob James, Governor of the State of Alabama, appeared before the Joint Session and delivered his address to the members of the Alabama Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Rep. Zoghby:

H. R. 11. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 57, WHICH AMENDS SECTION 17-4-138 OF THE CODE OF ALABAMA 1975, PROVIDING PAYMENT FOR THE PREPARATION OF LISTS OF QUALIFIED ELECTORS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court, or a majority of them, to give their written opinions on the following important constitutional question which has arisen concerning the pending H. B. 57, amending Section 17-4-138 of the Code of Alabama 1975, to provide, inter alia, that only those judges of probate who are compensated on a fee system and who prepare the lists of qualified electors shall receive the \$0.05 per name for preparation of such list, copies of which are attached to this resolution and made a part hereof by reference:

1. Does Section 1 of H. B. 57, amending Section 17-4-138 of the Code of Alabama 1975, which in part deletes the language, "The judge of probate shall receive or such," and adds "and only those judges of probate, on the fee system who prepare such lists" fall within the constitutional prohibition of Section 6.09(d) of Amendment No. 328 to the Constitution of Alabama of 1901?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send sufficient true copies of the pending H. B. 57, with attachments, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Rep. Zoghby, the rules were suspended and the resolution, H. R. 11, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Keener:

S. J. R. 2. COMMITTEE APPOINTED TO ESCORT GOVERNOR TO JOINT SESSION OF THE LEGISLATURE.

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint session of the House and Senate be held at 6:30 P.M. on November 3, 1981, for the purpose of hearing the message of the Honorable Fob James, Governor of Alabama.

AND BE IT FURTHER RESOLVED That a committee of three from the Senate, to be named by the Presiding Officer of the Senate, and three from the House, to be named by the Speaker of the House, be appointed to wait upon the Governor and advise him for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Pearson, Teague, and Denton.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 2, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

ADJOURNMENT

On motion of Rep. Manley and pursuant to the resolution, H. R. 5, heretofore adopted, the House adjourned until 4:00 o'clock p.m., Wednesday, November 4, 1981.

SECOND DAY

House of Representatives
Montgomery, Alabama
Wednesday, November 4, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Conway E. Spears, Pastor, First Christian Methodist Episcopal Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards,

Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

BILLS ON SECOND READING

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 73. (With Amendment): To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be certain moneys derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 77. To propose an amendment to the Constitution of Alabama of 1901 authorizing the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, and providing that,

notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement.

The above bill was read a second time at length as required by the Constitution.

H. 79. To repeal Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Finance Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 37. (With Amendment): To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 3. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

H. 4. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

H. 15. To amend Section 1 of Act No. 81-967 of the first special session of the Alabama Legislature in 1981 by further amending § 43-3-10 Code of Alabama 1975, which provides for descent and distribution of personalty.

H. 22. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

H. 2. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

H. 24. To prescribe that no more than one commercial hazardous waste treatment facility or disposal site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste treatment facility or disposal site.

Rep. Shoemaker, Vice-Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 18. To define the criminal offense of illegal possession of food stamps; to classify the degrees of such offense; and to prescribe punishment for the commission of such offense.

Rep. Hines, Vice-Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 21. To state the intent of the Legislature; to amend § 34-24-70 of the Code of Alabama, 1975, to state the qualifications required of applicants by examination or by reciprocity; to distinguish between graduates of colleges of medicine and colleges of osteopathy located in the United States or District of Columbia and other such graduates; to permit receipt of satisfactory evidence showing graduation in lieu of a diploma; to delete the requirement that a graduate of a foreign medical or osteopathic school complete a residency; to delete the requirement that a graduate of a foreign medical or osteopathic school be eligible to take the examination of an approved specialty board; to amend the requirement that a graduate of a foreign medical or osteopathic school be certified by the educational council for foreign medical graduates so that such graduate must only have received a passing grade on the written examination; to require that graduates of foreign medical or osteopathic schools complete at least one year of internship at a hospital approved by the board of medical examiners; to delete the provision of § 34-24-70 that relates to county licenses; to require graduates of foreign medical or osteopathic schools and graduates of medical or osteopathic schools located in the United States or District of Columbia who have not passed a specified written examination within the ten years immediately preceding the date of application to successfully complete an oral examination; to exempt from such oral examination applicants who have been certified by an approved specialty board or who have passed a recertification examination given by an approved board within the same ten year period; and to provide rule making authority.

Rep. Gafford, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 46. (With Amendments): To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice and consent of a select committee, and to provide for the interest earned by said fund.

The above bill was read a second time at length as required by the Constitution.

Rep. Gafford, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and

ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 80. (With Amendment): To establish the Permanent Legislative Oversight Committee on the spending or expenditure of any funds from any permanent trust fund, interest bearing general obligation bonds, notes or other evidences of indebtedness, bond issues or interest accrued or accruing, derived, directly or indirectly, by the state from the past and future dispositions of its rights in offshore oil, gas and other hydrocarbon minerals, pursuant to any legislation in the 1981 Third Special Session of the Legislature; to provide for the appointment of the membership, powers of the committee, meetings, legislative compensation and per diem, mileage and travel expenses; to provide that such compensation, per diem, mileage and travel expenses shall be paid out of any funds in the general fund of the state treasury as a result of such legislation.

Rep. Gafford, Chairman of the Standing Committee on Banking, reported that said Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 58. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice of a select committee. The select committee may pledge any portion of the reserve fund.

The above bill was read a second time at length as required by the Constitution.

Rep. Smith, C., Vice-Chairman of the Standing Committee on Agriculture and Forestry, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 65. To repeal Sections 8-17-60 through 8-17-64, Code of Alabama 1975, regarding paint; labeling requirements; provisions for enforcement; collection of inspection fees; penalty for violation.

H. 66. To amend Sections 2-10-21 and 2-10-23, Code of Alabama 1975, by raising initial permit fees of associations to \$25.00; to require annual renewal permit fees of \$25.00 for associations; to provide that annual renewal fees are payable for branch offices.

Rep. Willis, Chairman of the Standing Committee on Natural Resources, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1. To establish a lifetime resident hunting license, a lifetime resident fishing license, and a combination lifetime resident hunting and fishing license; to provide for the deposit of the proceeds into a special account in the Game and Fish Fund, to be called the Alabama Game and Fish Endowment Fund, and to prescribe the manner in which said account will be administered.

Rep. Venable, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 26. To amend Sections 17-7-1, as amended, and 17-16-43, as amended, of the Code of Alabama 1975, relating to the time of qualification of any candidate for public office, so as to provide that all candidates must qualify by the same date.

Rep. Venable, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 69. (With Amendment): To amend further section 17-10-5, Code of Alabama 1975, relating to absentee voting, so as to require the posting of only the name on the list of absentee voting applications each day on the regular bulletin board or other public place in the county courthouse.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 12. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

H. 14. To confer the power to grant franchises upon the County Commissions of the several counties in this state in relation to the operation of community antenna television facilities; to empower the said County Commissions to set up reasonable rules and regulations governing the exercise of rights granted by the said franchises; to grant franchises and regulate such franchises in certain counties; to authorize and empower the said County Commissions to levy a license tax and fix the amount of said tax on the business performed under said franchise.

H. 27. To amend Section 7 of Act No. 81-721, H. 769 of the 1981 Regular Session (Acts 1981, page 1227) which authorizes the incorporation and organization of a public corporation in the state to be named the Alabama synfuels development authority for the purpose of furthering the development of synthetic fuels, so as to grant the authority the power to convey to any private corporation for fair market value any real, personal or mixed property necessary or convenient to the authority in the performance of its duties.

H. 45. To amend Sections 11-50-273 and 11-50-323 of the Code of Alabama 1975 relating to exemption of certain public utilities from regulation of the public service commission, so as to provide further for such exemption.

Rep. Grimsley, Vice-Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 28. To prescribe that all public school systems shall allow official recruiting representatives of the armed or military forces of the United States or of the state reasonable access to their facilities and students for the purpose of presenting recruiting programs, administering tests, and generally informing students on occupational and educational options.

Rep. Warren, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 47. Relating to Tuscaloosa County; amending Section 2 of Act No. 613, H. 1289, 1977 Regular Session (Acts 1977, p. 922), which relates to voter registration and the duties and compensation of the county board of registrars; and repealing Sections 11 and 12 of said Act.

H. 30. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

H. 29. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

H. 51. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

H. 8. To authorize the Limestone County governing body to reimburse any officer or employee of the county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority from the general fund of the county; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this Act and to establish reasonable rules and regulations prescribing the conditions on which payments under this Act shall be made.

H. 50. Relating to Crenshaw County; amending Sections 1 and 2 of Act No. 775, S. 158 of the 1975 Regular Session (Acts 1975, p. 1563), fixing the issuance fee for pistol permits and providing for the distribution therefor, so as to increase such fee and prescribe that funds generated thereby be deposited in the county general fund.

H. 38. Relating to Coffee County; providing for a referendum election to submit to the qualified electors of Coffee County the question whether the Coffee County Commission shall be authorized to levy and impose a county sales tax and a county use tax; providing for the authority of the Coffee County Commission to levy such taxes generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, respectively; providing certain additional exemptions from such taxes; specifying the rates at which those taxes may be levied; providing for the ascertainment, collection, payment, distribution and use of the proceeds of

those taxes if levied by the Coffee County Commission, and for the enforcement of this Act by the State Department of Revenue; providing for the termination of the taxes authorized to be levied hereunder; and prescribing penalties and fixing punishment for violations of this Act.

H. 31. Relating to DeKalb County; to provide for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

H. 59. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

H. 25. Relating to Sumter County; to amend Sections 2, 3, 6 and 7 of Act No. 81-224, H. 140, Regular Session 1981 (Acts 1981, p. 298), relating to reidentification of registered voters, so as to provide further for such reidentification.

H. 48. Relating to Bibb County; authorizing the county board of education to fix an expense allowance for the county superintendent of education in such amount as said board deems appropriate and providing that such expense allowance shall be in lieu of all other expense allowances heretofore provided for said superintendent.

H. 68. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

The above bill was read a second time at length as required by the Constitution.

H. 53. Relating to Covington County; to provide for a pistol permit fee, to provide for the disposition of such fees, and to specifically repeal Act No. 898, H. 1672, Regular Session 1971 (Acts 1971, p. 1662).

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 10. Relating to Jefferson County in regard to establishing the salary of the Deputy Probate Judge.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 13. (With Amendment): To increase from fifty dollars per month to two hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following

bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 17. (With Substitute): Relating to Class I municipalities, to authorize the mayor of any Class I city of this state to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor, to provide that the salary of the Chief Administrative Assistant shall be determined by the Mayor, and to provide that such employee shall not be subject to any merit system.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 39. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 40. (With Amendment): To establish the salaries for the following officers of Jefferson County, Alabama: The President of the County Commission, the two associate County Commissioners and the Sheriff; and to provide that the salaries as fixed by this Act shall take effect at the beginning of the next terms of office of said officers and the beginning of each term of office of said officers thereafter.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 42. (With Amendments): To establish the salary for the Sheriff of Jefferson County, Alabama: and to provide that the salary as fixed by this Act shall take effect at the beginning of the next term of office of said officer and the beginning of each term of office of said officer thereafter.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 43. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

H. 60. To provide members of the governing body of Class I cities in Alabama and all cities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits; to provide that this act supercedes the provisions of Sections

1 and 2 of Act No. 129 of the Regular Session of the Legislature of 1965 (Acts of Alabama 1965, pp. 194-195), that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

H. 61. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Rep. Gregg, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

H. 35. Relating to Madison County; providing for the county governing body to reimburse the office of license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

H. 7. Relating to Madison County; to provide for an additional expense allowance for the members of the jury commission of said county.

H. 6. To authorize a procedure whereby the Sheriff of Madison County, Alabama is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the Sheriff's Department of Madison County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Madison County, Alabama or by posting in a conspicuous place at the Madison County Courthouse; to provide that the first publication or posting of said notice shall be twenty days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Madison County, Alabama may redeem the same at anytime prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the office of the Sheriff of Madison County, Alabama.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 49. To make a supplemental appropriation for salaries and other expenses for the use of the House of Representatives and the Alabama Senate for the fiscal year ending September 30, 1982, from the general fund of the state treasury.

H. 33. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum

gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

H. 34. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

H. 83. To amend Section 28-3-74(e) of the Code of Alabama 1975, to provide that when a county changes its status from a dry county to a wet county that such county will be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year. To further provide that a newly created municipality in a wet county shall be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year.

H. 23. To amend Section 29-1-9, Code of Alabama 1975, relating to compensation of legislative interim committees, so as to remove the one-time mileage restriction.

H. 41. To exempt Birmingham Football Foundation, Inc., Birmingham, Alabama, from the payment of state, county or municipal sales or use taxes.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 12. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when the House adjourns today, Wednesday, November 4, 1981, it adjourns to meet again on Thursday, November 5, 1981, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 12, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Manley, leave of absence was granted for Reps. Smith (M) and Crow, due to illness.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Owens, McCorquodale, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser,

Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

H. J. R. 13. MOURNING THE DEATH OF MR. MILO BARRETT HOWARD, DIRECTOR OF THE ALABAMA DEPARTMENT OF ARCHIVES AND HISTORY AND A DISTINGUISHED ALABAMIAN.

WHEREAS, it is with deep sadness and in great personal sorrow that the Alabama Legislature notes the death of Mr. Milo Barrett Howard of Montgomery, Alabama, on November 3, 1981, at the age of just 48 years; and

WHEREAS, a native and lifelong resident of Montgomery, Milo Howard was a member of pioneer families of that city; he was a descendant of Milo Barrett who was publisher of the Montgomery Advertiser in 1864-1865, and of Neill Blue whose home in 1825 was located on the site now occupied by the Alabama Department of Archives and History, the agency Mr. Howard was later to serve for almost three decades; and

WHEREAS, Milo B. Howard was a graduate of Montgomery's Sidney Lanier High School, and of Auburn University where he earned both his bachelors and masters degrees; it was as a student in 1952 that he first worked with the archives, joining the department as a permanent employee in 1958 to be named director in 1967; and

WHEREAS, truly a learned man, Milo Howard achieved national recognition as an archivist and was considered an expert in his primary fields of interest which were his beloved Southland and native Alabama; and

WHEREAS, he was a communicant of Montgomery's historic St. John's Episcopal Church and was a member of the Montgomery Rotary Club, Newcomen Society in North America, the Society of Pioneers, The Thirteen and the Alabama Academy of Honor; and

WHEREAS, Mr. Howard also served as State Historic Preservation Officer, Chairman of the Women's Hall of Fame Board, on the Governor's Mansion Advisory Board and as treasurer of the Alabama Historical Commission; and

WHEREAS, as a scholar and a gentleman, Milo Howard was an individual of impeccable character, of uncompromising principles and of extraordinary ability; he was a distinguished Alabamian whose achievements and contributions in the field of historic preservation will remain unsurpassed; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Milo Barrett Howard of Montgomery, Alabama, and extend our most heartfelt sympathy to his family with whom we share great sorrow, and to whom a copy of this resolution shall be sent.

On motion of Rep. Owens, the rules were suspended and the resolution, H. J. R. 13, was adopted.

Also:

By Rep. Dixon:

H. J. R. 14. REQUESTING THE GOVERNOR TO CAUSE THE CAPITOL FLAG TO BE LOWERED TO HALF-MAST IN MOURNING FOR MILO BARRETT HOWARD.

WHEREAS, Milo Barrett Howard, Montgomery, Alabama, Director of the State Department of Archives and History died on November 3, 1981; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully request the Honorable Fob James to cause the Capitol Flag to be lowered to half-mast in mourning for Milo Barrett Howard.

On motion of Rep. Dixon, the rules were suspended and the resolution, H. J. R. 14, was adopted.

Also:

By Reps. Minus and Manley:

H. J. R. 15. NAMING THE JULIA TUTWILER BRIDGE ON ALABAMA HIGHWAY 39 WHICH SPANS THE TOMBIGBEE RIVER AT GAINESVILLE, ALABAMA, CONNECTING SUMTER AND GREENE COUNTIES, "THE JULIA TUTWILER-BARNES ADUSTON ROGERS BRIDGE."

WHEREAS, Mr. Barnes Aduston Rogers is a native and lifelong resident of Sumter County, Alabama, and is one of his community's most prominent and outstanding citizens; and

WHEREAS, long active in the affairs of his beloved home county, Mr. Rogers is held in deep affection and esteem for his responsible civic involvement and for his care and concern for the betterment and well-being of his community; and

WHEREAS, it is the desire of this body that fitting tribute be paid to an extraordinary man whose works and deeds have profoundly benefitted his fellow citizens, neighbors and friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate the Julia Tutwiler Bridge on Alabama Highway 39 which spans the Tombigbee River at Gainesville, Alabama, connecting Sumter and Greene Counties, "The Julia Tutwiler-Barnes Aduston Rogers Bridge."

BE IT FURTHER RESOLVED, That the proper authorities are hereby directed to erect and maintain appropriate signs and markers so designating said bridge as "The Julia Tutwiler-Barnes Aduston Rogers Bridge."

RESOLVED FURTHER, That a copy of this resolution be forwarded to Mr. Rogers as a memento of his honorary designation in tribute to his accomplishments and contributions on behalf of Sumter County and the State of Alabama.

On motion of Rep. Minus, the rules were suspended and the resolution, H. J. R. 15, was adopted.

Also:

By Rep. Minus:

H. J. R. 16. NAMING THE SUCARNOCHEE RIVER BRIDGE ON HIGHWAY 11, ENTERING THE CITY OF LIVINGSTON IN SUMTER COUNTY, ALABAMA, "FOOTS CROSSING."

WHEREAS, the Honorable Sam Massingill serves as probate judge of his native Sumter County; and

WHEREAS, a lifelong resident of his beloved home county, Judge Massingill is a prominent member of the community he has long served with dedication, and in the best interests of his fellow citizens; and

WHEREAS, for many years, Judge Massingill has been known as "Foots," a nickname that is now widely used throughout Sumter County, in affection and regard for an extraordinary man whose leadership has evolved through his responsible involvement in civic and community affairs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in appreciation for dedicated public service and achievement, we hereby name and designate the Sucarnochee River Bridge on Highway 11, entering the City of Livingston in Sumter County, Alabama, "Foots Crossing" in honor of the Honorable Sam "Foots" Massingill.

BE IT FURTHER RESOLVED, That the proper authorities are directed to erect and maintain appropriate signs and markers so designating said bridge as "Foots Crossing."

RESOLVED FURTHER, That a copy of this resolution be sent to Judge Sam Massingill as a memento of this honorary designation of the Alabama Legislature.

On motion of Rep. Minus, the rules were suspended and the resolution, H. J. R. 16, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Stout (With Notice and Proof):

H. 84. Relating to DeKalb County; authorizing the county commission to employ a county revenue officer to collect county taxes and to inspect licenses.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 84, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Hines (With Notice and Proof):

H. 85. Relating to Escambia County, providing for the payment of one-third of the moneys received by Escambia County under the provisions of

Act No. 2, General Acts 1945, page 20, and under Act No. 2057, General Acts 1971, page 3317 (Sections 40-20-1 through 40-20-13, 1975 Code of Alabama) to the Escambia County Board of Education; to provide for its use; to provide a method for its distribution; and to repeal Local Act No. 344, Acts of Alabama 1953, page 407, Local Act No. 883, Acts of Alabama 1978, page 1312, Local Act No. 612, Acts of Alabama 1978, page 869, and Local Act No. 894, Acts of Alabama 1978, page 1330, and all other acts in conflict.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 85, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Sandusky (With Notice and Proof):

H. 86. To provide a hearing committee for school boards for the purpose of hearing contested contract cancellations of teachers on continuing service status in certain counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census in the State of Alabama.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 86, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Waggoner, Lewis, Cabaniss, Bennett, Boles and Trammell (With Notice and Proof):

H. 87. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 87, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Hines (With Notice and Proof):

H. 88. Relating to the practice of barbering in Escambia County; to regulate further the training and licensing of barbers and conditions under which barbers and cosmetologists may work in such county.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 88, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Owens:

H. 89. To amend Section 36-29-1 of the Code of Alabama 1975, relating to the State Employees' Health Insurance Plan so as to extend eligibility for coverage thereunder to persons who are employed by the State but who are paid partly by a county.

Ways and Means.

By Rep. Moore (With Notice and Proof):

H. 90. Relating to Shelby County: To prohibit any utility company, board, corporation or commission (exclusive of communications) which provides services in Shelby County from providing such services to any dwelling or structure until a certificate of approved sanitation has been issued by the Shelby County Health Officer or his authorized representative.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 90, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. McMillan, Harper (T), Buskey, Clark (W), Parker, Zoghby, Sandusky, Turner, Bedsole and Hines.:

H. 91. To provide for a surf fishing trail along certain areas of the state adjoining the Gulf of Mexico.

Natural Resources.

By Reps. Turnham and Ward:

H. 92. To amend Section 12-17-61, Code of Alabama 1975, relating to the number of district court judges in the State of Alabama so as to provide two district court judges for Lee County and to provide for the time of establishment of such judgeship No. 2 and for the appointment of and election of such additional district judge.

Ways and Means.

By Rep. Holmes:

H. 93. To make a supplemental appropriation to Trenholm State Technical College, from the special educational trust fund for the fiscal year ending September 30, 1982, for purposes of paramedic training.

Ways and Means.

ADJOURNMENT

On motion of Rep. Owens and pursuant to the resolution, H. R. 12, heretofore adopted, The House adjourned until 1:00 o'clock p.m., Thursday, November 5, 1981.

THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, November 5, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Fred E. Wilson, Pastor, Southside Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

LEAVE OF ABSENCE

At the request of Rep. Manley, leave of absence was granted for Rep. Crow.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 17. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Thursday, November 5, 1981, we adjourn to meet again on Tuesday, November 10, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 17, was adopted.

BILLS ON SECOND READING

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 5. Relating to Marion County; amending Section 1 of Act No. 108, H. 78, 1978 Regular Session (Acts 1978, p. 1825), relating to an additional expense allowance for members of the county board of education, so as to increase the amount of such allowance.

H. 82. To authorize the Blount County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 85. (With Amendment): Relating to Escambia County, providing for the payment of one-third of the moneys received by Escambia County under the provisions of Act No. 2, General Acts 1945, page 20, and under Act No. 2057, General Acts 1971, page 3317 (Sections 40-20-1 through 40-20-13, 1975 Code of Alabama) to the Escambia County Board of Education; to provide for its use; to provide a method for its distribution; and to repeal Local Act No. 344, Acts of Alabama 1953, page 407, Local Act No. 883, Acts of Alabama 1978, page 1312, Local Act No. 612, Acts of Alabama 1978, page 869, and Local Act No. 894, Acts of Alabama 1978, page 1330, and all other acts in conflict.

Rep. Warren, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 88. Relating to the practice of barbering in Escambia County; to regulate further the training and licensing of barbers and conditions under which barbers and cosmetologists may work in such county.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 87. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 16 (With Substitute): To further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to provide that both the number and salary of the mayor's assistants shall be determined by the mayor.

Rep. Sandusky, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 44. Relating to Mobile County; requiring a fiscal note for any new proposed program or policy or for any proposed change in an existing program or policy of the county board of education.

Rep. Sandusky, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 86. (With Substitute) (With Amendments): To provide a hearing committee for school boards for the purpose of hearing contested contract cancellations of teachers on continuing service status in certain counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census in the State of Alabama.

Rep. Wyatt, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 56. (With Amendment): Relating to Montgomery County; to provide an additional expense allowance for the members of the Board of Education.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act be severable.

H. 76. To appropriate ten million dollars (\$10,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the support and encouragement of educational, agricultural and industrial activities involving basic and applied scientific research and development.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 72. (With Amendments): To propose a self-executing amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its rights in offshore oil, gas and other hydrocarbon minerals, create a board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, and limit the liability of individual members of the board of trustees of such trust fund.

The above bill was read a second time at length as required by the Constitution.

H. 71. (With Amendments): To implement the provisions of an amendment to the Constitution of Alabama of 1901 authorizing the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the

capital costs of public facilities and works of internal improvements consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; to pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on said bonds; to create a bond commission with authority to determine the details of said bonds and to sell and issue the same; to provide for the terms, execution and issuance of said bonds; to provide for the investment and reinvestment of the proceeds of such bonds pending the disbursement thereof; to allocate the proceeds of said bonds, together with the investment income derived from said proceeds, to the purposes for which they are to be expended; to authorize the issuance of refunding bonds for the purpose of refunding any outstanding bonds issued pursuant to this Act; and to exempt from taxation in the State all bonds issued pursuant to this Act and the income therefrom.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 75. To propose an amendment to the Constitution of Alabama of 1901 that will authorize the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvement consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State

Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; that will authorize the refunding of said bonds through the sale and issuance of refunding bonds; that will pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on all bonds issued pursuant to said amendment; and that will provide certain terms and conditions with respect to the sale and issuance of bonds issued pursuant to said amendment.

The above bill was read a second time at length as required by the Constitution.

H. 78. To appropriate six million dollars (\$6,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Minus:

H. 94. To amend section 11-43-80, Code of Alabama 1975, which section relates to powers, duties, office and salary of mayors and as superintendent of a municipal utility system or systems so as to remove the limitations of salary payable to mayors for services rendered as superintendent of a municipal utility system or systems.

Local Government.

By Rep. Hines (With Notice and Proof):

H. 95. Relating to Escambia County; providing further for the compensation and clerical assistance for the county tax assessor and the tax collector.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 95, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Hines (With Notice and Proof):

H. 96. To provide that the Judge of Probate of Escambia County shall be compensated on a salary basis and to prescribe the amount of such salary; to provide for a minimum number of employees who shall serve at the pleasure of said Judge and to provide for reimbursement of all expenses incurred in the official operation of the office.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 96, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Reed:

H. 97. To amend Sections 34-17-24 and 34-17-25, Code of Alabama 1975, which relate to license fees and penalties for Landscape Architects in Alabama, so as to increase said fees and penalties to allow for increased costs of administration, to be effective retroactive to October 1, 1980.

State Administration.

By Rep. Coburn:

H. 98. Proposing an amendment to the Constitution of 1901, authorizing the legislature to abolish the separate offices of tax assessor and tax collector in Colbert County and to provide for the consolidation of the duties of said office into a new office.

Local Legislature No. 1.

The above bill was read a first time at length as required by the Constitution.

By Rep. Holley:

H. 99. Relating to public utilities; to amend Section 37-1-141, Code of Alabama 1975, which relates to appeals from orders of the Public Service Commission relating to public utilities so as to prohibit the collection of all or any portion of a requested rate increase by a public utility that is denied by the Public Service Commission.

Commerce, Transportation and Utilities.

By Rep. Bedsole (With Notice and Proof):

H. 100. To authorize the Mobile County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 100, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Gafford:

H. 101. To prohibit any person in the executive branch or in the legislative branch of government or any of their relatives by blood or marriage within the fourth degree of kindred, from receiving any gain or profit, directly or indirectly, from the expenditure of any funds or monies from any permanent trust fund, interest bearing general obligation bonds, notes or other evidences of indebtedness, bond issues or interest accrued or accruing,

derived directly or indirectly by the state from the past and future dispositions of its rights in offshore oil, gas and other hydrocarbon minerals, pursuant to any legislation in the 1981 Third Special Session; to make certain exclusions; and to provide a penalty for violating the provisions of this Act.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Reps. McMillan and Penry:

H. J. R. 18. COMMENDING MR. LEROY BRYANT ON HIS DISTINGUISHED CAREER AS A PUBLIC EDUCATOR.

WHEREAS, Mr. Leroy Bryant served the public schools of Alabama, and of Baldwin County, for 33 years, retiring recently after a distinguished career which spanned more than three decades; and

WHEREAS, during his long tenure as an educator, Mr. Bryant set an example of excellence for the students of Baldwin County, thereby gaining the respect and admiration of all those whose lives he touched; and

WHEREAS, the commendable attributes of goodwill and high ideals, as exhibited by Mr. Bryant, became a legacy upon his retirement that will have a far-reaching and beneficial effect on education in Baldwin County for many years to come; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Mr. Leroy Bryant on his extraordinary and most rewarding career in public education in Baldwin County, Alabama; we further congratulate him upon retirement and wish him every success in all future endeavors.

BE IT FURTHER RESOLVED, That Mr. Bryant receive a copy of this resolution that he may know of our gratitude for his service, of our warm praise and high regard.

On motion of Rep. McMillan, the rules were suspended and the resolution, H. J. R. 18, was adopted.

BILLS ON THIRD READING

And the bill:

H. 47. Relating to Tuscaloosa County; amending Section 2 of Act No. 613, H. 1289, 1977 Regular Session (Acts 1977, p. 922), which relates to voter registration and the duties and compensation of the county board of registrars; and repealing Sections 11 and 12 of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Bennett, Blake, Brakefield, Cabaniss, Cheatwood, Cobb, Coburn, Grimsley, Grouby, Hammett, Harper (O), Harvey, Hines, Johnson (R. G), Kelley, Laird Lewis, McMillan, Minus Mitchell, Naramore, Olive, Owens, Parker, Penry, Sasser, Shavers, Shoemaker, Smith (J), Starkey, Stewart, Venable, Ward, Warren, Whatley, Willis and Wyatt.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 30. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 1.

Yeas:

Mr. Speaker, Bennett, Blake, Brakefield, Cabaniss, Carothers, Cheatwood, Clark (G), Cobb, Coburn, Daniels, Ford, Grimsley, Grouby, Hall, Hammett, Harvey, Hines, Johnson (R. G.), Laird, McMillan, Minus, Mitchell, Naramore, Nevett, Olive, Parker, Payne, Pegues, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Ward, Warren, Whatley, Willis and Wyatt.

—41

Nay: Rep. Holmes.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 29. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 1.

Yeas:

Mr. Speaker, Bennett, Blake, Brakefield, Cabaniss, Carothers, Cheatwood, Clark (G), Cobb, Coburn, Daniels, Ford, Goodwin, Grimsley, Grouby, Hammett, Hines, McMillan, Manley, Mitchell, Naramore, Nevett, Olive, Parker, Payne, Penry, Sasser, Shavers, Smith (C), Smith (J), Stewart, Venable, Whatley, Willis and Wyatt.

—35

Nay: Rep. Holmes.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. 51 POSTPONED

On motion of Rep. Cates, the bill, H. 51, was postponed to the fourth legislative day.

And the bill:

H. 8. To authorize the Limestone County governing body to reimburse any officer or employee of the county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority from the general fund of the county; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this Act and to establish reasonable rules and regulations prescribing the conditions on which payments under this Act shall be made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Mr. Speaker, Bennett, Bowling Brakefield, Buskey, Cabaniss, Cheatwood, Clark (G), Cobb, Coburn, Daniels, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Hines, Holmes, Johnson (R. G.), Laird, Langford, Manley, Minus, Mitchell, Naramore, Nevett, Payne, Penry, Sasser, Shoemaker, Smith (C), Smith (J), Stewart, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 50. Relating to Crenshaw County; amending Sections 1 and 2 of Act No. 775, S. 158 of the 1975 Regular Session (Acts 1975, p. 1563), fixing the issuance fee for pistol permits and providing for the distribution therefor, so as to increase such fee and prescribe that funds generated thereby be deposited in the county general fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Cates, Cheatwood, Clark (G), Cobb, Cosby, Daniels, Dixon, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Hines, Holmes, Johnson (R. G.), Laird, Langford, McMillan,

Manley, Minus, Mitchell, Naramore, Nevett, Olive, Pegues, Penry, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Venable, Ward, Whatley and Willis.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 38. Relating to Coffee County; providing for a referendum election to submit to the qualified electors of Coffee County the question whether the Coffee County Commission shall be authorized to levy and impose a county sales tax and a county use tax; providing for the authority of the Coffee County Commission to levy such taxes generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, respectively; providing certain additional exemptions from such taxes; specifying the rates at which those taxes may be levied; providing for the ascertainment, collection, payment, distribution and use of the proceeds of those taxes if levied by the Coffee County Commission, and for the enforcement of this Act by the State Department of Revenue; providing for the termination of the taxes authorized to be levied hereunder; and prescribing penalties and fixing punishment for violations of this Act.

Was taken up.

AMENDMENT OFFERED

Rep. Holley offered the following amendment No. 1 to the bill, H. 38:

Amend H. B. 38, page 2, beginning on line 16 and ending on line 17 by deleting the following:

“, containing not more than four cells,”

and again beginning on page 4, beginning on line 21 and ending on line 22 by deleting the following:

“containing not more than four cells”

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 38; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Bennett, Boles, Brakefield, Cabaniss, Carothers, Cheatwood, Cobb, Daniels, Dixon, Ford, Grouby, Hammett, Harper (O), Johnson (R. G.), Langford, McMillan, Minus, Mitchell, Naramore, Nevett, Olive, Payne, Pegues, Penry, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Whatley, Williams and Willis.

—38

Nay: Rep. Wyatt.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Holley offered the following amendment No. 2 to the bill, H. 38 as amended:

Amend H. B. 38, page 4, line 10, be deleting the number "20" after the words "as the case may be," and substituting in lieu thereof the following:

"35"

and further on page 4, line 13, by deleting the number "80" after the word "remaining" and substituting in lieu thereof the following:

"65"

and on page 11, line 16, by deleting the words "Twenty percent (20%)" and substituting in lieu thereof the following:

"Thirty-five percent (35%)"

and on page 11, line 23, by deleting the words "eighty percent (80%)" and substituting in lieu thereof the following:

"sixty-five percent (65%)"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 43; Nays 1.

Yeas:

Mr. Speaker, Barton, Bennett, Blake, Brakefield, Cabaniss, Campbell, Carothers, Cheatwood, Cobb, Daniels, Dixon, Edwards, Ford, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Holmes, Laird, Langford, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Payne, Pegues, Penry, Sasser, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Venable, Ward, Whatley, Williams and Willis.

—43

Nay: Rep. Wyatt.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Holley offered the following amendment No. 3 to the bill, H. 38 as amended:

Amend H. B. 38 at page 10, line 24 by deleting the word "treasurer" and by substituting in lieu thereof the following:

"treasury"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 43; Nays 1.

Yeas:

Mr. Speaker, Bennett, Blake, Brakefield, Cabaniss, Campbell, Carothers, Cheatwood, Cobb, Daniels, Dixon, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Holmes, Johnson (R. G.), Laird, Langford, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Payne, Penry, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Whatley, Williams and Willis.

—43

Nay: Rep. Wyatt.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 38, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 2.

Yeas:

Mr. Speaker, Bennett, Brakefield, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Cobb, Daniels, Edwards, Ford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Harvey, Holmes, Johnson (R. G.), Laird, Langford, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Payne, Pegues, Penry, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Williams and Willis.

—40

Nays: Reps. Holley and Wyatt.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Rep. Smith (C):

H. J. R. 19. HONORING POSTHUMOUSLY MR. R. M. "BEN" TUCKER, EDITOR AND PUBLISHER OF THE CHILTON COUNTY NEWS, FOR HIS INDUCTION INTO THE ALABAMA NEWSPAPER HALL OF HONOR.

WHEREAS, the Alabama Newspaper Hall of Honor was established in 1958 to recognize extraordinarily talented and dedicated newspaper men and women in Alabama who bring distinction to themselves and their profession; and

WHEREAS, on October 10, 1981, the late Mr. R. M. "Ben" Tucker, editor and publisher of the Chilton County News from 1942 to 1965, became the forty-seventh newspaper editor to be enshrined in the Alabama Newspaper Hall of Honor and is the third so selected from the Chilton County News; and

WHEREAS, Mr. R. M. "Ben" Tucker was born in Paris, Arkansas, in 1905 and began his journalistic career on such weekly newspapers as the Ashville Aegis, the Wetumpka Herald and the Oneonta Southern Democrat; and

WHEREAS, Mr. R. M. "Ben" Tucker was known for his integrity, fairness, innovativeness, sensitivity and dedication among his professional peers and friends alike and these talents won for himself and the Chilton County News many honors over the years including numerous better newspaper awards from the Alabama Press Association.

WHEREAS, Mr. R. M. "Ben" Tucker was in the forefront of editors presenting readable and attractive newsprint as well as displaying a keen and incisive mind in complex and controversial subjects; and

WHEREAS, Mr. R. M. "Ben" Tucker followed his father, Mark L. Tucker, lifetime newspaper man and publisher, to be one of only two father-son teams in the Newspaper Hall of Honor; and

WHEREAS, in the early 1950's Mr. R. M. "Ben" Tucker, took up the mantle of leadership in "selling" the idea of the one-cent sales tax for school buildings and today thousands of our young citizens benefit immeasurably from his courage; and

WHEREAS, Mr. R. M. "Ben" Tucker was active in numerous civic, charitable and religious affairs of his community and state, always taking time to be a friend and serve his fellowman; and

WHEREAS, this outstanding journalist contributed to the betterment of his community and state and brought great honor to the journalistic profession; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do posthumously honor Mr. R. M. "Ben" Tucker, who was inducted into the Alabama Newspaper Hall of Honor because of his outstanding achievements in the field of journalism and his devotion and service to his fellowman and to the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution, as a token of our esteem, be sent to his wife, Mr. Myrtle Tucker; to his daughters, Mrs. June West and Mrs. Carolyn Andrews; and to his son, Bob, and his grandson, Ben, who are associated with the Chilton County News.

On motion of Rep. Smith (C), the rules were suspended and the resolution, H. J. R. 19, was adopted.

BILLS ON THIRD READING RESUMED

H. 31 POSTPONED

On motion of Rep. Rains, the bill, H. 31, was postponed to the fourth legislative day.

And the bill:

H. 59. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 28; Nays 0.

Yeas:

Mr. Speaker, Bennett, Blake, Boles, Brakefield, Cabaniss, Cheatwood, Grimsley, Grouby, Hammett, Harper (O), Harvey, Johnson (R. G.) Letson, Minus, Mitchell, Moore, Naramore, Olive, Owens, Sasser, Smith (C), Smith (J), Stewart, Trammell, Turnham, Ward and Willis.

—28

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 25. Relating to Sumter County; to amend Sections 2, 3, 6 and 7 of Act No. 81-224, H. 140, Regular Session 1981 (Acts 1981, p. 298), relating to reidentification of registered voters, so as to provide further for such reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bennett, Blake, Boles, Brakefield, Cabaniss, Cates, Cheatwood, Cosby, Dial, Dixon, Goodwin, Grouby, Hall, Hammett, Harper (O), Harvey, Johnson (R. G.) Laird, Letson, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Pegues, Penry, Rains, Ray, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Whatley and Willis.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 48. Relating to Bibb County; authorizing the county board of education to fix an expense allowance for the county superintendent of education in such amount as said board deems appropriate and providing that such expense allowance shall be in lieu of all other expense allowances heretofore provided for said superintendent.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bennett, Blake, Boles, Brakefield, Cabaniss, Cheatwood, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Letson, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Payne, Penry, Rains, Ray, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Ward, Warren, Whatley, Willis and Wyatt.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 68. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69, Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Cates, Cheatwood, Clark (G), Coburn, Cooley, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Horn, Laird, Langford, Letson, Lewis, Manley, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Payne, Pegues, Penry, Rains, Ray, Riddick, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turnham, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—69

And the bill:

H. 53. Relating to Covington County; to provide for a pistol permit fee, to provide for the disposition of such fees, and to specifically repeal Act No. 898, H. 1672, Regular Session 1971 (Acts 1971, p. 1662).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Carter, Cates, Cheatwood, Gafford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Holley, Holmes, Horn, Laird, Langford, Letson, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Payne, Penry, Rains, Ray, Sasser, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Warren, Whatley, Willis and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Lewis to suspend the rules in order to take up out of order the bill, H. 10, was lost, lacking a four-fifths vote.

Yeas 19; Nays 6.

Yeas:

Reps. Amari, Bennett, Biddle, Blake, Boles, Cabaniss, Cheatwood, Gafford, Harper (O), Howard, Lewis, Olive, Payne, Reed, Seibels, Smith (J), Trammell and Waggoner.

—19

Nays: Reps. Escott, Harrison, Horn, Jackson, Nevett and Tucker.

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 13. (With Amendment): To increase from fifty dollars per month to two hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Amend H. B. 13, line 16, by striking the word "two" and inserting in lieu thereof the word "one";

Also amend H. B. 13, Section 1, line 24, by striking the word "two" and inserting in lieu thereof the word "one".

And the amendment was adopted.

Yeas 22; Nays 4.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Brakefield, Cabaniss, Cheatwood, Gafford, Grimsley, Hall, Hammett, Lewis, Moore, Olive, Payne, Seibels, Smith (J), Starkey, Trammell, Venable, Waggoner and Willis.

—22

Nays: Reps. Escott, Harrison, Horn and Nevett.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 13. To increase from fifty dollars per month to one hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 22; Nays 2.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Carothers, Cheatwood, Gafford, Grimsley, Harper (O), Howard, Jackson, Lewis, Moore, Olive, Payne, Seibels, Smith (J), Starkey, Trammell, Waggoner and Willis.

—22

Nays: Reps. Escott and Horn.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 37; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bennett, Biddle, Blake, Brakefield, Cabaniss, Carothers, Carter, Cheatwood, Gafford, Gilmer, Goodwin, Grimsley, Hall, Harper (O), Laird, Moore, Naramore, Olive, Owens, Payne, Reed, Riddick, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Warren and Willis.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 35. Relating to Madison County; providing for the county governing body to reimburse the office of license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bennett, Biddle, Blake, Brakefield, Cabaniss, Carter, Cheatwood, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Holmes, Laird, Langford, Moore, Naramore, Nevett, Olive, Reed, Riddick, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Warren, Willis and Wyatt.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 7. Relating to Madison County; to provide for an additional expense allowance for the members of the jury commission of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 36; Nays 1.

Yeas:

Mr. Speaker, Bedsole, Bennett, Blake, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Cheatwood, Goodwin, Grouby, Hammett,

Harper (O), Harper (T), Harvey, Laird, Moore, Naramore, Nevett, Olive, Owens, Reed, Riddick, Sasser, Seibels, Smith (J), Starkey, Stewart, Trammell, Venable, Ward, Warren, Willis and Wyatt.

—36

Nay: Rep. Hall.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 6. To authorize a procedure whereby the Sheriff of Madison County, Alabama is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the Sheriff's Department of Madison County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Madison County, Alabama or by posting in a conspicuous place at the Madison County Courthouse; to provide that the first publication or posting of said notice shall be twenty days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Madison County, Alabama may redeem the same at anytime prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the office of the Sheriff of Madison County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 37; Nays 0.

Yeas:

Mr. Speaker, Albright, Bennett, Blake, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cheatwood, Clark (G), Goodwin, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Laird, Moore, Naramore, Olive, Reed, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Venable, Waggoner, Ward, Willis and Wyatt.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 73. (With Amendment): To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal

year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be certain moneys derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Was taken up.

MOTION TO TEMPORARILY POSTPONE

Rep. Payne offered the motion to temporarily postpone consideration of the bill, H. 73 with pending amendment reported by the Standing Committee on Ways and Means, and to take up the bill, H. 37.

MOTION TO POSTPONE TABLED

On motion of Rep. Clark (G), the motion offered by Rep. Payne to temporarily postpone consideration of the bill, H. 73 with pending amendment, and take up the bill, H. 37, was tabled.

Yeas 44; Nays 32.

Yeas:

Mr. Speaker, Adams (C), Cabaniss, Campbell, Carter, Cates, Clark (G), Coburn, Cosby, Daniels, Dial, Edwards, Gilmer, Grimsley, Grouby, Hammett, Higginbotham, Holley, Holmes, Johnson (R. G.), Kelley, Letson, McMillan, Manley, Minus, Mitchell, Owens, Patton, Pegues, Penry, Ray, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Turner, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—44

Nays:

Reps. Albright, Amari, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Carothers, Cheatwood, Clark (W), Cobb, Drinkard, Escott, Ford, Hall, Harper (O), Harper (T), Horn, Jackson, Langford, Lewis, Naramore, Nevett, Parker, Rains, Seibels, Shavers, Trammell, Tucker, Waggoner and Wyatt.

—32

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. Pegues offered the motion to reconsider the vote by which the motion offered by Rep. Payne to postpone consideration of the bill, H. 73 with pending amendment, and to take up the bill, H. 37, was tabled, and the motion to reconsider was adopted.

H. 73 TEMPORARILY POSTPONED

On motion of Rep. Pegues, consideration of the bill, H. 73 with pending amendment, was temporarily postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Hammett, the rules were suspended in order to take up out of order the bill, H. 37.

And the bill:

H. 37. (With Amendment): To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

On page one, in the synopsis, in lines 20 and 21 delete the words ", whether non-legislative or legislative,"

and in lines 27, 28 and 29 delete the words:

"and that the remaining portion shall be distributed based on a population ratio"

On page two, in Section 1, in line 28 after the word "appoint" delete the remainder of the line and insert in lieu thereof the words:

one person for a seven-year term

and in line 29 delete the word "representatives"

and delete line 30 in its entirety and insert in lieu thereof the words:

one person for a six-year term; thereafter their successors shall serve for a period of seven years.

and in line 31 delete

"terms of office."

On page 7 delete in their entirety lines 12 through 25 and insert in lieu thereof the following:

"(d) If the total requests for all sums available for mortgage loans are less than the maximum total sum allowed by federal law, each financial lender making application shall receive the total amount requested.

"(e) If the total requests for all sums available for mortgage loans exceed the amount of available funds, fifty percent (50%) of the net proceeds available for mortgage loans shall be allocated among the 67 counties of the state for a period of sixty (60) days. The Alabama Housing Finance Authority shall have an additional two thirty (30) day options to extend the original entitlement to each county; thereafter any county having any unused allocation shall revert to the Alabama Housing Finance Authority for re-allocation first among pending applicants, and then among any other applicants."

And the amendment was adopted.

Yeas 59; Nays 21.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Cabaniss, Campbell, Carter, Cates, Clark (G), Cooley, Cosby, Daniels, Dial, Drinkard, Edwards, Escott, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Jackson, Johnson (R. G.), Kelley, Laird, Letson, McMillan, Manley, Minus, Mitchell, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Tucker, Turner, Venable, Ward, Warren, Williams, Wyatt and Zoghby.

—59

Nays:

Reps. Adams (H), Albright, Amari, Bennett, Boles, Bowling, Brakefield, Buskey, Cheatwood, Clark (W), Ford, Gafford, Hall, Kennedy, Langford, Naramore, Seibels, Smith (M), Stewart, Trammell and Waggoner.

—21

CO-SPONSOR ADDED

Rep. Gilmer was added as co-sponsor to the bill, H. 37.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 7. NAMING WEEKS BAY PARK IN BALDWIN COUNTY, ALABAMA, THE "WILLIAM O. LOTT MEMORIAL PARK".

Also:

H. J. R. 19. HONORING POSTHUMOUSLY MR. R. M. "BEN" TUCKER, EDITOR AND PUBLISHER OF THE CHILTON COUNTY NEWS, FOR HIS INDUCTION INTO THE ALABAMA NEWSPAPER HALL OF HONOR.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 13. MOURNING THE DEATH OF MR. MILO BARRETT HOWARD, DIRECTOR OF THE ALABAMA DEPARTMENT OF ARCHIVES AND HISTORY AND A DISTINGUISHED ALABAMIAN.

Also:

H. J. R. 14. REQUESTING THE GOVERNOR TO CAUSE THE CAPITOL FLAG TO BE LOWERED TO HALF-MAST IN MOURNING FOR MILO BARRETT HOWARD.

Also:

H. J. R. 15. NAMING THE JULIA TUTWILER BRIDGE ON ALABAMA HIGHWAY 39 WHICH SPANS THE TOMBIGBEE RIVER AT GAINESVILLE, ALABAMA, CONNECTING SUMTER AND GREENE COUNTIES, "THE JULIA TUTWILER-BARNES ADUSTON ROGERS BRIDGE."

Also:

H. J. R. 16. NAMING THE SUCARNOCHEE RIVER BRIDGE ON HIGHWAY 11, ENTERING THE CITY OF LIVINGSTON IN SUMTER COUNTY, ALABAMA, "FOOTS CROSSING".

Also:

H. J. R. 18. COMMENDING MR. LEROY BRYANT ON HIS DISTINGUISHED CAREER AS A PUBLIC EDUCATOR.

McDOWELL LEE,
Secretary.

H. 37 RESUMED SUBSTITUTE OFFERED

Rep. Cates offered the following substitute to the bill, H. 37 as amended:

A BILL TO BE ENTITLED AN ACT

To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 24-1A-4 and 24-1A-7 of the Code of Alabama 1975, are hereby amended to read as follows:

"§ 24-1A-4. The applicants named in the application and their respective successors in office together with the appointments made by the speaker of the house and the lieutenant governor, respectively, shall constitute the members of the authority. The speaker of the house shall appoint one person for a seven-year term and the lieutenant governor shall appoint one person for a six-year term; thereafter their successors shall serve for a period of seven years. The governor shall, as soon as convenient after the passage of this chapter, appoint one person from each of the now existing seven congressional districts as members of the authority, and at the expiration of the terms for which they are appointed or the existence of a vacancy, their successors. Each member and/or successor shall be a citizen of the state, of

good reputation and at the time of their appointment two of such members shall be engaged in the business of home building, two shall be licensed real estate brokers, who are not in the business of home building; one shall be engaged in the business of lending money on the security of mortgages on residential property or the officer or employee of a mortgage lender; one shall be an elected commissioner of a county in the state; and one shall be an elected mayor of a municipality. The members first appointed shall be appointed for terms of one, two, three, four, five, six and seven years respectively, and the governor in the appointment shall designate the expiration date of the term of the member. Their respective successors shall be appointed for the remainder of any unexpired term or, if appointed at the expiration of a term, for terms of seven years. Each member shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. A member, director or officer of the authority may be impeached or removed from office in the same manner and on the same grounds as provided in section 175 of the Constitution of Alabama and the general laws of the state relating to the impeachment and removal of public officers. At least one member shall be a member of the minority race. The director of finance and the superintendent of banks shall serve as ex officio members of the authority.

"(b) The members of the authority shall constitute all the members of the board of directors of the authority, in which all powers of the authority shall be vested, and any four members of the board of directors shall constitute a quorum for the transaction of business.

"(c) The board of directors shall elect from among its members, a chairman, a vice-chairman, a secretary, a treasurer and such other officers as it may determine. The board of directors may also elect an assistant secretary and an assistant treasurer, who need not be members of the board of directors.

"(d) Regular meetings of the board of directors shall be held at such time and place as shall be fixed by resolution of the board of directors and special meetings of the board of directors shall be held at the call of the chairman or whenever three members of the board of directors so request. Any action taken by the authority under the provisions of this chapter may be authorized by resolution approved by at least four of the directors present at any regular or special meeting. No member, officer or director of the authority shall receive any salary therefor, but he may be reimbursed for necessary travel and the reasonable expenses of performing the duties of office. All proceedings had and done by the board of directors shall be reduced to writing by the secretary or assistant secretary of the authority, shall be signed by at least three directors and shall be recorded in a substantially bound book and filed in the office of the authority. All proceedings of the board shall be open to the public and all records of the board shall be subject to public inspection during business hours. Copies of such proceedings, when certified by the secretary or assistant secretary of the authority under the seal of the authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

"(e) No member, officer, director or employee shall be personally liable for the obligations or acts of the authority.

"(f) There shall be established a legislative oversight committee to provide recommendations to the board concerning efficient operation of the authority. The committee shall consist of seven members of the house of representatives, one from each congressional district appointed by the speaker of the house and seven members of the senate, one from each congressional district appointed by the lieutenant governor. The governor,

lieutenant governor and speaker of the house or their designated representative shall serve as ex officio members. The legislative members, after their initial appointment, shall be named at each organizational session and all members shall serve until their successors are properly qualified. All members of this committee shall be entitled to their actual expenses incurred in the performance of their duties as members of the committee.

"(g) Each appointed member, officer or director of the authority shall be paid seventy-five dollars (\$75) per day for each day's attendance at meetings plus actual expenses incurred in the performance of his duties pursuant to the provisions of this act; provided, however, each legislative member of the Oversight Committee shall be paid his regular legislative compensation for each day's attendance at meetings when not in legislative session plus actual expenses incurred in the performance of his duties pursuant to the provisions of this act; and the finance director and superintendent of banks shall serve without pay but shall be entitled to their actual expenses incurred in the performance of their duties pursuant to the provisions of this act. Any payment for compensation or reimbursement for expenses shall be made from any funds of the Alabama Housing Finance Authority.

"§ 24-1A-7. (a) All moneys derived from the sale of any bonds issued by the authority shall be used solely for the purpose or purposes for which the same are authorized, including costs and expenses of issue. Such costs and expenses may include but shall not be limited to:

"(1) The fiscal, legal and other expenses incurred in connection with the issuance of the bonds; and

"(2) Except in the case of refunding bonds, interest to accrue on such bonds for a period ending not later than two years from their date.

"(b) Bonds shall be issued in series, each of which shall be separately designated in the proceedings authorizing a series of bonds (other than refunding bonds) shall specify the purposes for which the proceeds of such series shall be used. The proceeds of a series of bonds shall be used either for making, directly or indirectly, single family mortgage loans or for making, directly or indirectly, multi-family mortgage loans, and the proceeds of a single series of bonds shall not be used for both single family mortgage loans and multi-family mortgage loans. Separate series of bonds may be issued at the same time. No series of bonds, the proceeds of which are to be used for multi-family mortgage loans, shall be actually issued prior to January 1, 1981, although the authority may enter into agreements or commitments with regard to the issuance of such bonds prior to January 1, 1981.

"(c) In the proceedings authorizing any bonds (other than refunding bonds) the proceeds of which are to be applied, directly or indirectly, to the making of single family mortgage loans, the board of directors shall specify the portion of the proceeds thereof which the board of directors has determined are to be used for the purpose of providing funds with respect to the making, directly or indirectly, of such mortgage loans, and of such portion shall allocate (1) a minimum of 70 percent of such proceeds to the making of mortgage loans with respect to new and previously unoccupied eligible housing units, and (2) not exceeding 30 percent of such proceeds to the making of mortgage loans for existing eligible housing units and for the purchase of existing mortgage loans with respect to eligible housing units; provided, however, that if the authority determines, after 60 days from the date of issuance of any series of bonds issued for the purpose of financing single

family mortgage loans, that the proceeds of such series have not been expended or committed to be expended for mortgage loans with respect to new and previously unoccupied eligible housing units, then such proceeds may be used to finance any single family mortgage loans.

"(d) If, for any series of bonds the proceeds of which are to be used for making, directly or indirectly, single family mortgage loans, the total requests for mortgage funds by mortgage lenders at the interest rate nearest to the mortgage interest rate actually obtained by the bond issue are less than or equal to an amount equal to the maximum principal amount of mortgage revenue bonds which may be issued under Federal law during the then-current calendar year, then the authority shall allocate the net proceeds available for mortgage loans in such manner as it shall determine in its sole discretion.

"(e) If, for any series of bonds the proceeds of which are to be used for making, directly or indirectly, single family mortgage loans, the total requests for mortgage funds by mortgage lenders at the interest rate nearest to the mortgage interest rate actually obtained by the bond issue exceed an amount equal to the maximum principal amount of mortgage revenue bonds which may be issued under Federal law during the then-current calendar year, then fifty percent (50%) of the net proceeds available for mortgage loans shall be allocated equally among the 67 counties of the state for a period of sixty (60) days commencing on the date of issuance of such series of bonds. The authority, in its sole discretion, shall have the option to extend such 60-day period for an additional 30 days, and the further option to extend such period for an additional 30 days. At the expiration of such period, including any extension thereof, the authority may reallocate in the manner provided in subsection (d) of this section any portion of any county's original allocation which is not the subject of a written commitment for mortgage loans by mortgage lenders. The remaining 50% of such net proceeds shall be allocated by the authority in the manner provided in subsection (d) of this section."

Section 2. Section 24-1A-9 of the Code of Alabama 1975, is hereby specifically repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 66; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Blake, Boles, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harrison, Harvey, Hines, Holley, Jackson, Johnson (R.G.), Kelley, Letson, Manley, Minus, Mitchell, Moore, Nevett, Olive, Owens, Patton, Pegues, Ray, Riddick, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Williams, Wyatt and Zoghby.

Nays:

Reps. Albright, Bowling, Brakefield, Carothers, Gafford, Hall, Harper (T), McMillan, Naramore, Penry, Seibels and Smith (M).

—12

AMENDMENT OFFERED

Rep. Harrison offered the following amendment No. 1 to the bill, H. 37 as amended:

On page one, in line 27 in the Synopsis, after the semicolon, insert the following:

it prescribes the circumstances under which home improvement loans may be made, and specifies that federal laws and guidelines shall control the use of the proceeds;

On page 6, subparagraph (b), in line 15 after the word "loans," insert:

or for making directly or indirectly home improvement loans for eligible existing single-family housing units,

In line 16 delete the word "both" and insert in lieu thereof the following:
any combination of

And in line 17 delete the word "and" and insert in lieu thereof:
a comma

And in line 18 after the word "loans" insert:
and home improvement loans

On page 7, in line 11, after the period add the following:

It is expressly provided that any federal laws and guidelines which may be promulgated limiting the use of proceeds in any manner prescribed by this section shall take precedence over any provision of this act.

On page 8, after line 12, add a new section 3 as follows:

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

and renumber subsequent sections accordingly.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Harrison,

Harvey, Higginbotham, Hines, Holley, Howard, Jackson, Johnson (R. G.), Laird, Langford, Letson, McKee, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Rains, Ray, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Williams, Wyatt and Zoghby.

—82

AMENDMENT OFFERED

Rep. Harrison offered the following amendment No. 2 to the bill, H. 37 as amended:

On page one, in line 27 in the Synopsis, after the semicolon, insert the following:

it prescribes the circumstances under which home improvement loans may be made

On page 7, in line 11 after the period insert the following:

It is expressly prescribed that a sum equal to 25 percent of all sums of all bond issues allocated for single family mortgage loans be available for home improvement loans.

AMENDMENT TABLED

On motion of Rep. Cates, the amendment No. 2 offered by Rep. Harrison to the bill, H. 37 as amended, was tabled.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Blake, Bowling, Cabaniss, Campbell, Carter, Cates, Clark (G), Daniels, Dial, Dixon, Drinkard, Edwards, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Laird, Letson, McKee, McMillan, Minus, Mitchell, Naramore, Olive, Owens, Patton, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Stout, Turner, Venable, Ward, Warren, Willis and Zoghby.

—55

Nays:

Reps. Albright, Amari, Bennett, Biddle, Boles, Buskey, Cheatwood, Clark (W), Coburn, Escott, Ford, Hall, Harper (T), Harrison, Howard, Kennedy, Langford, Lewis, Manley, Moore, Nevett, Tucker, Waggoner and Wyatt.

—24

AMENDMENT OFFERED

Rep. Drinkard offered the following amendment to the bill, H. 37 as amended:

Amend H. B. 37 on page 7, Section 24-1A-7, para (e) line 29 by striking after the word then the following:

fifty percent (50%)

and inserting in lieu thereof, the following:

thirty percent (30%)

MOTION TO TABLE LOST

The motion offered by Rep. Cates to table the amendment offered by Rep. Drinkard to the bill, H. 37 as amended, was lost.

Yeas 37; Nays 51.

Yeas:

Mr. Speaker, Adams (C), Blake, Cabaniss, Campbell, Carter, Cates, Cosby, Daniels, Dial, Edwards, Gilmer, Grimsley, Grouby, Hammett, Hines, Holley, Jackson, Johnson (R. G.), Laird, Letson, McKee, Manley, Minus, Mitchell, Owens, Pegues, Rains, Ray, Sasser, Shoemaker, Smith (C), Turner, Venable, Ward, Warren and Whatley.

—37

Nays:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Boles, Bowling, Brakefield, Buskey, Cheatwood, Clark (W), Coburn, Cooley, Dixon, Drinkard, Escott, Ford, Gafford, Goodwin, Hall, Harper (T), Higginbotham, Holmes, Horn, Howard, Kennedy, Langford, Lewis, McMillan, Moore, Naramore, Nevett, Olive, Parker, Patton, Payne, Penry, Sandusky, Seibels, Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Waggoner, Wyatt and Zoghby.

—51

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Drinkard to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 50; Nays 36.

Yeas:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Boles, Bowling, Brakefield, Buskey, Carothers, Cheatwood, Clark (W), Coburn, Cooley, Dixon, Drinkard, Escott, Ford, Gafford, Goodwin, Hall, Harper (T), Harvey, Higginbotham, Holmes, Horn, Kennedy, Langford, Letson, Lewis, McMillan, Moore, Naramore, Nevett, Olive, Parker, Payne, Penry, Sandusky, Seibels, Smith (M), Starkey, Stewart, Stout, Trammell, Waggoner, Wyatt and Zoghby.

—50

Nays:

Mr. Speaker, Blake, Cabaniss, Campbell, Carter, Cates, Clark (G), Cosby, Dial, Edwards, Gilmer, Grimsley, Hammett, Harper (O), Hines, Holley, Johnson (R. G.), Laird, McKee, Manley, Minus, Owens, Patton, Pegues, Ray, Reed, Sasser, Shoemaker, Smith (C), Turner, Turnham, Venable, Ward, Warren, Whatley and Williams.

—36

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 7. NAMING WEEKS BAY PARK IN BALDWIN COUNTY, ALABAMA, THE "WILLIAM O. LOTT MEMORIAL PARK."

Also:

H. J. R. 13. MOURNING THE DEATH OF MR. MILO BARRETT HOWARD, DIRECTOR OF THE ALABAMA DEPARTMENT OF ARCHIVES AND HISTORY AND A DISTINGUISHED ALABAMIAN.

Also:

H. J. R. 14. REQUESTING THE GOVERNOR TO CAUSE THE CAPITOL FLAG TO BE LOWERED TO HALF-MAST IN MOURNING FOR MILO BARRETT HOWARD.

Also:

H. J. R. 15. NAMING THE JULIA TUTWILER BRIDGE ON ALABAMA HIGHWAY 39 WHICH SPANS THE TOMBIGBEE RIVER AT GAINESVILLE, ALABAMA, CONNECTING SUMTER AND GREENE COUNTIES, "THE JULIA TUTWILER-BARNES ADUSTON ROGERS BRIDGE."

Also:

H. J. R. 16. NAMING THE SUCARNOCHEE RIVER BRIDGE ON HIGHWAY 11, ENTERING THE CITY OF LIVINGSTON IN SUMTER COUNTY, ALABAMA, "FOOTS CROSSING."

Also:

H. J. R. 18. COMMENDING MR. LEROY BRYANT ON HIS DISTINGUISHED CAREER AS A PUBLIC EDUCATOR.

Also:

H. J. R. 19. HONORING POSTHUMOUSLY MR. R. M. "BEN" TUCKER, EDITOR AND PUBLISHER OF THE CHILTON COUNTY NEWS, FOR HIS INDUCTION INTO THE ALABAMA NEWSPAPER HALL OF HONOR.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 37 RESUMED

AMENDMENT OFFERED

Rep. Venable offered the following amendment to the bill, H. 37 as amended:

Amend Substitute for House Bill 37, Page 4, line 13, after the word "request" by inserting the following language: No meeting shall be held unless ten days public notice has been given in at least three daily newspapers in diverse parts of the state outlining the time, place and purpose of the meeting.

Further amend the bill on page 4, line 27 after the word "hours" by changing the period to a comma and adding the following: and the official records shall be permanently maintained in a public office of the State of Alabama.

MOTION TO TABLE LOST

The motion offered by Rep. Cates to table the amendment offered by Rep. Venable to the bill, H. 37 as amended, was lost.

Yeas 9; Nays 77.

Yeas:

Reps. Adams (C), Cabaniss, Clark (G), Kelley, McMillan, Riddick, Sandusky, Smith (M) and Turner.

—9

Nays:

Mr. Speaker, Adams (H), Albright, Amari, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Campbell, Carothers, Carter, Cheatwood, Clark (W), Coburn, Cooley, Daniels, Dial, Dixon, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Laird, Langford, Letson, Lewis, McKee, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Tucker, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—77

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Venable to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 86; Nays 3.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Hines,

Holley, Holmes, Howard, Jackson, Johnson (R. G.), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Tucker, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—86

Nays: Reps. Horn, Riddick and Smith (M).

—3

AMENDMENT OFFERED

Rep. Bowling offered the following amendment to the bill, H. 37 as amended:

On page 2, line 25, following the word with, insert the following language:

the director of the Alabama Ethics Commission, the director of the Consumer Protection Division of the Attorney General's Office, an appointment of the State Treasurer, and

MOTION TO TABLE LOST

The motion offered by Rep. Cates to table the amendment offered by Rep. Bowling to the bill, H. 37 as amended, was lost.

Yeas 41; Nays 42.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Biddle, Cabaniss, Campbell, Carter, Cates, Cosby, Daniels, Dial, Edwards, Grimsley, Hammett, Harper (T), Harrison, Hines, Kelley, Laird, Letson, McKee, McMillan, Manley, Minus, Mitchell, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Sasser, Shoemaker, Smith (J), Starkey, Turnham, Venable, Waggoner, Ward and Willis.

—41

Nays:

Reps. Adams (H), Albright, Bennett, Blake, Boles, Bowling, Brakefield, Carothers, Cheatwood, Coburn, Cooley, Dixon, Escott, Ford, Gilmer, Goodwin, Grouby, Hall, Harper (O), Harvey, Holley, Holmes, Horn, Jackson, Johnson (R. G.), Langford, Lewis, Naramore, Nevett, Olive, Payne, Rains, Smith (C), Smith (M), Stewart, Trammell, Tucker, Warren, Whatley, Williams, Wyatt and Zoghby.

—42

SUBSTITUTE AMENDMENT OFFERED

Rep. Bowling offered the following substitute amendment to the amendment offered by him to the bill, H. 37 as amended:

On page 2, line 25, following the word with, insert the following language:

, the director of the Consumer Protection Division of the Attorney General's Office, an appointment of the State Treasurer, and

SUBSTITUTE AMENDMENT TABLED

On motion of Rep. Cates, the substitute amendment offered by Rep. Bowling to the amendment offered by him to the bill, H. 37 as amended, was tabled.

Yeas 52; Nays 42.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carter, Cates, Clark (G), Cosby, Daniels, Dial, Drinkard, Edwards, Gafford, Harper (T), Harvey, Higginbotham, Hines, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (J), Starkey, Turnham, Venable, Waggoner, Ward, Whatley and Willis.

—52

Nays:

Reps. Albright, Amari, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Carothers, Cheatwood, Clark (W), Coburn, Cooley, Dixon, Escott, Ford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Holley, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Naramore, Nevett, Olive, Rains, Reed, Smith (C), Smith (M), Stewart, Trammell, Tucker, Warren, Williams, Wyatt and Zoghby.

—42

AMENDMENT LOST

The question was again on the amendment offered by Rep. Bowling to the bill, H. 37 as amended, and the amendment was lost.

Yeas 33; Nays 57.

Yeas:

Reps. Albright, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Carothers, Cheatwood, Clark (W), Coburn, Cooley, Escott, Ford, Grimsley, Grouby, Hall, Harper (O), Holley, Horn, Howard, Jackson, Langford, Naramore, Nevett, Olive, Rains, Smith (M), Trammell, Tucker, Warren, Williams and Wyatt.

—33

Nays:

Mr. Speaker, Adams (C), Barton, Bedsole, Biddle, Cabaniss, Campbell, Carter, Cates, Clark (G), Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Gafford, Gilmer, Harper (T), Harvey, Hines, Holmes, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Venable, Waggoner, Ward, Whatley, Willis and Zoghby.

—57

MOTION TO RECONSIDER

Having voted on the prevailing side, Rep. Drinkard offered the motion to reconsider the vote by which the amendment previously offered by him to the bill, H. 37 as amended, was adopted.

MOTION TO TABLE LOST

The motion offered by Rep. Gafford to table the motion to reconsider offered by Rep. Drinkard, was lost.

Yeas 39; Nays 50.

Yeas:

Reps. Adams (H), Albright, Amari, Bedsole, Bennett, Boles, Brakefield, Buskey, Carothers, Cheatwood, Clark (W), Dixon, Escott, Ford, Gafford, Grimsley, Hall, Harper (T), Holmes, Horn, Howard, Jackson, Kennedy, Langford, Moore, Naramore, Olive, Parker, Penry, Rains, Sandusky, Smith (M), Stewart, Stout, Trammell, Turner, Waggoner, Williams and Wyatt.

—39

Nays:

Mr. Speaker, Adams (C), Barton, Blake, Bowling, Cabaniss, Campbell, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Daniels, Dial, Drinkard, Edwards, Gilmer, Grouby, Harrison, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Owens, Patton, Payne, Pegues, Ray, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Venable, Ward, Warren, Whatley and Willis.

—50

MOTION TO RECONSIDER ADOPTED

The question was again on the motion offered by Rep. Drinkard to reconsider the vote by which the amendment previously offered by him to the bill, H. 37 as amended, was adopted, and the motion to reconsider was adopted.

Yeas 53; Nays 42.

Yeas:

Mr. Speaker, Adams (C), Blake, Bowling, Cabaniss, Campbell, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Daniels, Dial, Drinkard, Edwards, Gilmer, Goodwin, Grouby, Harper (O), Harrison, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Nevett, Owens, Patton, Payne, Pegues, Ray, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Turner, Venable, Ward, Warren, Whatley and Willis.

—53

Nays:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Boles, Brakefield, Buskey, Carothers, Cheatwood, Clark (W), Dixon, Escott, Ford, Gafford, Grimsley, Hall, Harper (T), Holmes, Horn, Howard, Jackson,

Kennedy, Langford, Moore, Naramore, Olive, Parker, Penry, Rains, Sandusky, Smith (M), Stewart, Stout, Trammell, Tucker, Waggoner, Williams, Wyatt and Zoghby.

—42

SUBSTITUTE AMENDMENT OFFERED

Rep. Drinkard offered the following substitute amendment to the amendment offered by him to the bill, H. 37 as amended:

Amend H. B. 37 on page 7, Section 24-1A-7, para (E) line 29 by striking after the word then the following:

fifty-percent (50%)

and inserting in lieu thereof, the following:

thirty five percent (35%)

SUBSTITUTE AMENDMENT ADOPTED

And the substitute amendment was adopted.

Yeas 55; Nays 36.

Yeas:

Mr. Speaker, Adams (C), Biddle, Blake, Cabaniss, Campbell, Carter, Cates, Clark (G), Coburn, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Gilmer, Goodwin, Grimsley, Grouby, Harper (O), Harrison, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McMillan, Manley, Minus, Mitchell, Nevett, Owens, Patton, Payne, Pegues, Penry, Ray, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Turner, Venable, Ward, Warren, Whatley and Willis.

—55

Nays.

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Boles, Bowling, Brakefield, Buskey, Carothers, Cheatwood, Clark (W), Cooley, Escott, Ford, Gafford, Hall, Harper (T), Holmes, Horn, Howard, Jackson, Kennedy, Langford, Naramore, Olive, Parker, Rains, Smith (M), Stewart, Trammell, Waggoner, Williams, Wyatt and Zoghby.

—36

MOTION TO ADJOURN LOST

The motion offered by Rep. Holmes that the House adjourn until 1:00 o'clock p.m., Tuesday, November 10, 1981, was lost.

Yeas 24; Nays 57.

Yeas:

Reps. Albright, Buskey, Carothers, Coburn, Cooley, Escott, Gafford, Gilmer, Goodwin, Hall, Harper (O), Holmes, Horn, Laird, Langford, Olive, Parker, Rains, Reed, Smith (M), Trammell, Whatley, Williams and Wyatt.

—24

Nays:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carter, Cates, Clark (G), Cosby, Dial, Dixon, Drinkard, Edwards, Grimsley, Grouby, Harper (T), Harvey, Higginbotham, Hines, Holley, Howard, Johnson (R. G.), Kelley, Letson, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Patton, Payne, Pegues, Penry, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Venable, Ward, Warren, Willis and Zoghby.

—57

H. 37 RESUMED

AMENDMENT OFFERED

Rep. Albright offered the following amendment to the bill, H. 37 as amended:

Amend H. B. 37 on page 7, Section 24-1A-7, para (e) line 29 by striking after the word the following:

fifty percent (50%) 35%

and inserting in lieu thereof, the following:

twenty-five percent (25%)

AMENDMENT TABLED

On motion of Rep. Cates, the amendment offered by Rep. Albright to the bill, H. 37 as amended, was tabled.

Yeas 61; Nays 21.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Blake, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Coburn, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Gilmer, Grimsley, Grouby, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holmes, Johnson (R. G.), Kelley, Laird, Letson, McMillan, Manley, Minus, Mitchell, Nevett, Owens, Patton, Payne, Pegues, Penry, Ray, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—61

Nays:

Reps. Albright, Boles, Bowling, Brakefield, Cheatwood, Cooley, Escott, Hall, Horn, Howard, Jackson, Langford, Naramore, Olive, Parker, Rains, Smith (M), Stewart, Stout, Trammell and Wyatt.

—21

AMENDMENT OFFERED

Rep. Holley offered the following amendment to the bill, H. 37 as amended:

On page 3, line 28, strike the word "and" add a comma and on line 28 after the word "banks" add the following:

and the state treasurer

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 67; Nays 7.

Yeas:

Reps. Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Carothers, Carter, Cheatwood, Clark (G), Coburn, Cooley, Cosby, Dial, Dixon, Edwards, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kennedy, Laird, Langford, Lewis, McKee, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Payne, Pegues, Penry, Riddick, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Warren, Whatley, Williams, Willis and Wyatt.

—67

Nays:

Reps. Hines, Jackson, McMillan, Patton, Turner, Ward and Zoghby.

—7

And the bill, H. 37, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—93

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. SETTING MEETING DAYS OF THE LEGISLATURE.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Clark (G), the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 4, said Senate amendment being as follows:

Amend H. J. R. 4 by deleting the period at the end of the resolution and inserting the following “, and when we adjourn on Tuesday, November 10, we adjourn to meet again on Wednesday, November 11, 1981, and when we adjourn Wednesday, November 11, we adjourn to meet again on Thursday, November 12, 1981.

And the resolution, H. J. R. 4 as amended, was adopted.

RESOLUTION

The following resolution was introduced:

By Rep. Gafford:

H. J. R. 20. NAMING THE GOVERNOR'S BOND PACKAGE, "THE FOB JAMES PORK BARREL BILLS."

WHEREAS, it is the consensus of the Alabama Legislature, and of the majority of Alabamians, that the oil lease money received by the State of Alabama is indeed a windfall that must be treated as one-time "manna from heaven"; and

WHEREAS, we further feel most strongly that the citizens of our State would prefer that the oil lease money be placed in an inviolate trust fund with only the interest to be spent on capital improvement programs; and

WHEREAS, the bond package proposed by Governor James, however, has raised questions and eyebrows and even a "stink" that smells "mighty like a rose" called pork barreling; and

WHEREAS, in pushing for passage of his package, the Governor obviously is using the old-fashioned method of pork barreling with a little bit of something for everybody in every part of the State, needed or not; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That to tell it like it is, we hereby name and designate the Governor's entire bond package, "The Fob James Pork Barrel Bills."

The resolution, H. J. R. 20, was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Owens, the rules were suspended in order to take up out of order the bill, H. 49.

And the bill:

H. 49. To make a supplemental appropriation for salaries and other expenses for the use of the House of Representatives and the Alabama Senate for the fiscal year ending September 30, 1982, from the general fund of the state treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 3.

Yeas:

Reps. Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Harper (O), Harper (T), Higginbotham, Hines, Holley, Holmes, Horn, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Waggoner, Warren, Whatley, Williams, Willis and Zoghby.

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Nays: Reps. Hall, Venable and Wyatt.

—3

MOTION TO ADJOURN LOST

The motion offered by Rep. Holmes that the House adjourn until 1:00 o'clock p.m., Tuesday, November 10, 1981, was lost.

Yeas 40; Nays 43.

Yeas:

Reps. Albright, Bennett, Blake, Boles, Brakefield, Carothers, Carter, Cheatwood, Clark (W), Coburn, Drinkard, Escott, Ford, Gafford, Goodwin, Hall, Harper (O), Holley, Holmes, Horn, Howard, Jackson, Kennedy, Laird, Langford, Parker, Patton, Penry, Rains, Reed, Riddick, Seibels, Smith (J), Trammell, Tucker, Turner, Waggoner, Whatley, Williams and Wyatt.

—40

Nays:

Mr. Speaker, Adams (C), Amari, Barton, Biddle, Bowling, Cabaniss, Campbell, Cates, Clark (G), Dial, Dixon, Edwards, Gilmer, Grouby, Harper (T), Higginbotham, Hines, Johnson (R. G.), Kelley, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Payne, Ray, Sandusky, Sasser, Shoemaker, Smith (C), Starkey, Stewart, Stout, Venable, Ward, Warren, Willis and Zoghby.

—43

RESOLUTION

The following resolution was introduced:

By Reps. Albright, Hall, Smith (M), Riddick and Smith (J):

H. J. R. 21. COMMENDING MR. BILL KLING, JR., FOR OUTSTANDING ACHIEVEMENT IN RADIO BROADCASTING.

WHEREAS, Bill Kling, Jr., News Director of WLRH Public Radio in Huntsville, is a state employee; and

WHEREAS, Bill Kling, Jr., is a native born Alabamian; and

WHEREAS, Bill Kling, Jr., is the senior fulltime radio news reporter in Huntsville; and

WHEREAS, Bill Kling, Jr., airs live broadcasts of the annual public forum that the Huntsville-Madison County Legislative Delegation holds prior to the regular session of the Alabama Legislature; and

WHEREAS, Bill Kling, Jr., airs live radio broadcasts of the meetings of the Huntsville City Council; and

WHEREAS, Bill Kling, Jr., has won the Alabama Sigma Delta Chi statewide radio news competitions for "Investigative Reporting," "Spot News," and "Best Documentary"; and

WHEREAS, Bill Kling, Jr., has won Troy State University's statewide "Hector" Award for Public Service newswork for the past two years; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we hereby commend Bill Kling for outstanding achievement in radio broadcasting and for distinguished public service on behalf of the people of Huntsville and North Alabama.

BE IT FURTHER RESOLVED, That Mr. Kling receive a copy of this resolution in token of our praise and warm, personal regard.

On motion of Rep. Albright, the rules were suspended and the resolution, H. J. R. 21, was adopted.

BILLS ON THIRD READING RESUMED

And the bill, H. 73 with pending amendment reported by the Standing Committee on Ways and Means, having previously been temporarily postponed, was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

On page 4, Section 4, in line 12 after the period insert (a) and after line 22 add the following:

(b) The monies herein appropriated shall be disbursed only after final passage into law of a bill amending Act No. 80-585, S. 357 (Acts 1980, Regular Session, p. 899, establishing the Alabama Housing Finance Authority), during the Third Special Session 1981, which bill provides for the equitable distribution of all Alabama Finance Authority funds among the several counties of the state.

MOTION TO TABLE LOST

The motion offered by Rep. Naramore to table the amendment reported by the Standing Committee on Ways and Means, was lost.

Yeas 19; Nays 62.

Yeas:

Reps. Albright, Boles, Brakefield, Buskey, Carothers, Cheatwood, Hall, Harper (T), Kelley, Lewis, McMillan, Naramore, Parker, Penry, Rains, Smith (M), Stewart, Trammell and Waggoner.

Nays:

Mr. Speaker, Adams (C), Barton, Bedsole, Biddle, Blake, Cabaniss, Campbell, Carter, Cates, Clark (W), Coburn, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Harper (O), Hines, Holley, Holmes, Howard, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, Letson, McKee, Manley, Minus, Mitchell, Nevett, Owens, Patton, Payne, Pegues, Ray, Reed, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Turner, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—62

The question was then on the amendment reported by the Standing Committee on Ways and Means to the bill, H. 73, and the amendment was adopted.

Yeas 70; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Blake, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Harper (O), Harvey, Hines, Holley, Holmes, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Nevett, Owens, Patton, Pegues, Penry, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Turner, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—70

Nays:

Reps. Albright, Boles, Brakefield, Hall, Howard, Kelley, Naramore, Parker, Rains, Smith (M), Stewart and Trammell.

—12

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 73 as amended:

Amend House Bill 73, Section 4, page 4 of said bill, on line 15, by striking the period following the word "Governor" and adding the following:

and with a Resolution attached reflecting approval of a majority of the Board of Directors of each expenditure and further indicating the names of those Board Members who approved the expenditure.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Cabaniss, Campbell, Carothers,

Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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CO-SPONSOR ADDED

Rep. Holmes was added as co-sponsor to the bill, H. 73.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:50 P. M. on November 5, 1981.

H. J. R. 7

H. J. R. 13

H. J. R. 14

H. J. R. 15

H. J. R. 16

H. J. R. 18

H. J. R. 19

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Holmes and pursuant to the resolution, H. R. 17, heretofore adopted, the House adjourned until 1:00 o'clock p.m., Tuesday, November 10, 1981.

Yeas 47; Nays 35.

Yeas:

Reps. Amari, Bennett, Blake, Boles, Brakefield, Buskey, Carothers, Carter, Cheatwood, Clark (W), Coburn, Cooley, Dixon, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Horn, Howard, Jackson, Kennedy, Laird, Langford, McKee, Manley, Nevett, Parker, Pegues, Rains, Riddick, Seibels, Smith (M), Trammell, Tucker, Turner, Waggoner, Whatley, Williams and Wyatt.

—47

Nays:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Cabaniss, Campbell, Cates, Cosby, Dial, Edwards, Hall, Hines, Holley, Johnson (R. G.), Kelley, McMillan, Minus, Moore, Naramore, Owens, Patton, Payne, Penry, Ray, Shoemaker, Smith (C), Starkey, Stewart, Stout, Venable, Ward, Warren, Willis and Zoghby.

—35

FOURTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, November 10, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Larry C. Williams, Rector, St. Thomas Episcopal Church, Greenville, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. R. 22. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Tuesday, November 10, 1981, we adjourn to meet again on Wednesday, November 11, 1981, at 12:00 Noon.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 22, was adopted.

Also:

By Rules Committee:

H. R. 23. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special, paramount and continuing order of business beginning November 10, 1981, taking precedence over any other business of the House.

Report of Standing Committees

Introduction of Bills and Resolutions

Uncontested Local Bills

Unfinished Business

And the Following Bills:

By Rep. Clark, et al:

H. 77 p. 2 Alabama Housing Finance Authority

By Rep. Clark, et al:

H. 79 p. 3 Alabama Housing Finance Authority

By Rep. Clark, et al:

H. 71 p. 25 State to sell & issue bonds

By Rep. Clark, et al:

H. 75 p. 27 State to sell & issue bonds

By Rep. Clark, et al:

H. 72 p. 24 Permanent trust fund

By Rep. Clark, et al:

H. 74 p. 22 Board of Corrections, appropriation

By Rep. Clark, et al:

H. 76 p. 23 Agricultural and industrial appropriation

By Rep. Clark, et al:

H. 78 p. 29 Reimbursement of counties for prisoners

By Rep. Biddle:

H. 1 p. 9 Game and Fish Endowment Fund

By Rep. Carter:

H. 21 p. 6 Foreign medical & osteopathic requirements

By Rep. Gafford:

H. 58 p. 8 Reserve fund, select committee

By Rep. Bowling:

H. 18 p. 6 Illegal possession of food stamps

By Rep. Manley:

H. 4 p. 4 Cigarette taxes

By Rep. Campbell:

H. 26 p. 9 Qualification of candidates

By Rep. Manley:

H. 3 p. 4 Interest

By Rep. Turnham, et al:

H. 23 p. 17 Legislative interim committees, mileage

By Rep. Dial:

H. 28 p. 12 School systems, recruiting

By Rep. Stout:

H. 27 p. 11 Synfuels

By Rep. Starkey:

H. 83 p. 16 ABC system

By Rep. Minus:

H. 24 p. 5 Hazardous waste treatment facilities

By Rep. Waggoner, et al:

H. 41 p. 18 Birmingham Football Foundation

By Rep. Ray:

H. 12 p. 10 Adoption zoning ordinances

By Rep. Edwards:

H. 14 p. 10 TV franchise

On motion of Rep. Biddle, the resolution, H. R. 23 was adopted.

PERMISSION GRANTED

Permission was granted for the Journal to show Rep. Gafford, voting "Nay" on the resolution, H. R. 23.

BILLS ON SECOND READING

Rep. Holley, Chairman of the Standing Committee on Commerce, Transportation and Utilities, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 99. Relating to public utilities; to amend Section 37-1-141, Code of Alabama 1975, which relates to appeals from orders of the Public Service Commission relating to public utilities so as to prohibit the collection of all or any portion of a requested rate increase by a public utility that is denied by the Public Service Commission.

Rep. Warren, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 84. Relating to DeKalb County; authorizing the county commission to employ a county revenue officer to collect county taxes and to inspect licenses.

H. 98. Proposing an amendment to the Constitution of 1901, authorizing the legislature to abolish the separate offices of tax assessor and tax collector in Colbert County and to provide for the consolidation of the duties of said office into a new office.

The above bill was read a second time at length as required by the Constitution.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 95. Relating to Escambia County; providing further for the compensation and clerical assistance for the county tax assessor and the tax collector.

H. 96. To provide that the Judge of Probate of Escambia County shall be compensated on a salary basis and to prescribe the amount of such salary; to provide for a minimum number of employees who shall serve at the pleasure of said Judge and to provide for reimbursement of all expenses incurred in the official operation of the office.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Waggoner and Bennett (With Notice and Proof):

H. 102. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100

of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 102, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Reps. Bowling, Naramore and Patton:

H. 103. To amend Section 40-21-53, Code of Alabama 1975, which provides for an exemption from the gross receipts license tax for electricity sold to the elderly and handicapped, so as to provide further for said exemption.

Ways and Means.

By Rep. Warren (With Notice and Proof):

H. 104. Relating to Conecuh County; legalizing the sale of draft or keg beer or malt beverages, any laws to the contrary notwithstanding; and providing for the levy, collection and distribution of tax on such draft or keg beer or malt beverages.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 104, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Goodwin (With Notice and Proof):

H. 105. Relating to Colbert County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to create a special fund in the county treasury to receive such additional fees and costs of renewal by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 105, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Harvey (With Notice and Proof):

H. 106. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of County Line, in Blount County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 106, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Reed:

H. 107. To amend Section 41-9-660, Code of Alabama 1975, relating to the Foreign Trade and Relation Commission, so as to change the composition of the commission.

State Administration.

By Rep. Reed:

H. 108. Proposing an amendment to the Constitution of 1901, to repeal Amendment No. 132 of the Constitution of 1901, relating to altering or re-arranging or reducing or abolishing Macon County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Rep. Turnham:

H. 109. To exempt Alabama 4-H Youth Development Center from the payment of state, county or municipal sales or use taxes.

Ways and Means.

By Rep. Gilmer (With Notice and Proof):

H. 110. Relating to Fayette County; setting fees for pistol permits; providing for disposition of the proceeds from such fees specifically repealing Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended by Act No. 734, H. 1283, Regular Session 1976 (Acts 1976, p. 1015), and all other laws in conflict herewith.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 110, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

RESOLUTIONS

The following resolutions were introduced:

By Reps. Cosby, Pegues and Edwards:

H. J. R. 24. COMMENDING ORGANIZATIONS AND INDIVIDUALS PARTICIPATING IN THE RETURN OF A SELMA MANUFACTURED BROOKE CANNON TO THE CITY OF ITS MANUFACTURE.

WHEREAS, on August 24, 1863, a Brooke rifled cannon, cleat No. S-5, was cast at the Selma, Alabama, Confederate Arsenal, subsequently to become part of the armament of the Ram Tennessee; and

WHEREAS, at the Battle of Mobile Bay on August 5, 1864, the Confederate Ram Tennessee was surrendered to the Union forces and S-5 Brooke Cannon shipped to the Washington, D. C., Federal Navy Yard as contraband of war trophy No. 15; and

WHEREAS, circa 1961, a group of dedicated persons and organizations from Selma, Alabama, and the State of Alabama at large determined to obtain the return of one of the Brooke Cannons to its original place of manufacture, to be placed with honor as a major artifact to be displayed for educational purposes in relating the rich historical heritage of Selma, Alabama's past; and

WHEREAS, in 1980, a major, coordinated program by the governments at city, county, state and national levels, was undertaken to return a Brooke Cannon to Selma, Alabama; and

WHEREAS, the combined, unselfish efforts of said governmental entities were coordinated with those individuals and organizations of the private sector under the co-chairmanship of Elise Blackwell, Director of Tourism and Conventions for the Selma and Dallas County Chamber of Commerce, and Williams G. Epperson, Director of Special Projects for the Alabama Bureau of Publicity and Information, resulting in the said S-5 Brooke Cannon being returned to Selma, Alabama, and dedicated on the 118th anniversary of its casting, August 24, 1981; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend the following organizations and individuals for this historic achievement as an example of what can be accomplished in a just cause by such unselfish cooperative effort as displayed in this worthy cause:

Mr. Charles McKinney, Manager of the Federal Antiquities Department of the U. S. Department of the Interior;

Senator Jeremiah Denton, his Executive Assistant Jim Wilson and his State Director Danny Cooper;

Honorable Donald Stewart and his Executive Assistant, Mike Perkins;

Mr. John Lehman, Secretary of the Navy, Captain Norman Mayo, Executive Assistant to the Secretary of the Navy, and Admiral Thomas H. Moorer;

Mr. Ernest Johnston of the U. S. State Department;

U. S. Congressman Richard Shelby, his Executive Assistant Bobby Woods, Honorable Walter Flowers, and Charles Snider, President of Snider-Dauphin, Inc.;

Governor Forrest Hood James;

Mr. Caroline S. Cavanaugh, Director of the Alabama Bureau of Publicity and Information and the entire Bureau Staff;

Probate Judge John Jones and the members of the Dallas County Commission;

Selma Mayor Joe T. Smitherman, Mr. Carroll Shoultz, Director of the Department of Public Works, and Mr. Jimmy Guthrie, Director of the City Recreation Department;

Mr. Billy B. Bond, President of the Selma/Dallas County Chamber of Commerce, Elise Blackwell, Tourism and Conventions Director, and Mr. Joe T. Pilcher, Jr., immediate Past President of the Chamber of Commerce;

Mr. Jim Granum, Special Representative of the Southern Railroad and Mr. Richard Arrington, Vice President of the railroad;

Mr. Shelton Prince, President and Publisher of The Selma Times Journal and Ms. Jean Martin, Community Editor of the paper;

Mr. Dick Bean, President of the Selma/Dallas County Museum of History and Archives, Mr. Ralph Walker, Director of the Museum, Mr. Bill Lyles, Director of the Museum, and Sol Tepper.

BE IT FURTHER RESOLVED, That each organization and herein named member be presented with a copy of this Resolution that they may know of our deep appreciation for their outstanding efforts in accomplishing this notable achievement.

On motion of Rep. Cosby, the rules were suspended and the resolution, H. J. R. 24, was adopted

Also:

By Reps. Williams, Grimsley, Sasser, Daniels and Carothers:

H. J. R. 25. HONORING DR. NATHAN L. HODGES ON HIS APPOINTMENT AS PRESIDENT OF GEORGE C. WALLACE STATE COMMUNITY COLLEGE.

WHEREAS, George C. Wallace State Community College has recently had appointed a new president; and

WHEREAS, the President has an outstanding record as an educator in the secondary schools of Alabama, having served in an excellent capacity as Superintendent of Dale County Schools for four years; and

WHEREAS, the President has been recognized as an outstanding young man by the Alabama Jaycees; and

WHEREAS, the Alabama State Community Colleges are outstanding institutions that deserve excellent leadership; and

WHEREAS, the Alabama State Superintendent and Alabama State Board of Education has appointed him because of his record of achievements; and

WHEREAS, since his appointment the President has been a strong positive force for improving, not only his institution, but the entire Alabama Postsecondary Educational System; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby issue this resolution

to honor Dr. Nathan L. Hodges, President of George C. Wallace State Community College, Napier Field, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Hodges that he may know of our sincere, warm praise and high regard.

On motion of Rep. Williams, the rules were suspended and the resolution, H. J. R. 25, was adopted.

Also:

By Rep. Williams:

H. J. R. 26. COMMENDING MR. JOHNNY CHILDS OF CLAYHATCHEE, ALABAMA, FOR EXTRAORDINARY BRAVERY.

WHEREAS, Mr. Johnny Childs of Clayhatchee, Dale County, Alabama, was recently accorded the highest possible award for heroism of the General Telephone company, an award established by the company in 1955 to pay tribute to those employees who exhibit the most heroic of actions in the face of grave emergency and danger; and

WHEREAS, the gold, silver and bronze Lacroix Award medal was presented to Mr. Childs for his presence of mind, quick action and extreme courage in rescuing Mrs. Jimmy Lee who was in imminent danger of death by drowning when she fell into a rain-swollen ditch on February 10, 1981; and

WHEREAS, without regard for his own personal safety, Mr. Childs courageously pulled Mrs. Lee from the ditch, and from a culvert into which she was being pulled by the raging current; and

WHEREAS, it is to be noted that in the past 26 years since the award's inception, only 189 medals have been awarded by GTE, just three of which have been presented in the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we unanimously join with the General Telephone company in paying highest tribute to Mr. Johnny Childs of Clayhatchee, Dale County, Alabama, a man of rare virtue and extraordinary courage.

BE IT FURTHER RESOLVED, That Mr. Childs receive a copy of this resolution that he and his family may know of our utmost praise and regard.

On motion of Rep. Williams, the rules were suspended and the resolution, H. J. R. 26, was adopted.

Also:

By Reps. Minus and Amari:

H. J. R. 27. PRAISING THE FEARLESS RIVER RAFTERS

WHEREAS, the Joint Interim Committee named to Study Restoration of the Old State Capital at Cahaba and also to inspect the water quality of the nearby Cahaba River recently undertook its mission in grand style through means of first-hand inspection; and

WHEREAS, the Legislative Committee Members took to the water in canoes to get a taste of the river, several literally; and

WHEREAS, such action prompted bystanders to remark, "it appeared the Legislators were all wet", now therefore,

BE IT RESOLVED, That Committee Chairman W. F. "Noopie" Cosby is hereby commended for his excellent navigation and crew members Jim Bennett, Earl Hilliard and J. E. Turner for their bravery.

BE IT FURTHER RESOLVED, That members Hugh Boles, Ed Grouby, Carl Brakefield, Cecil Wyatt, Charlie Britnell and Earl Goodwin who stayed on shore be commended for their good judgment.

BE IT FINALLY RESOLVED, That the Legislature commend the Cosby Cahaba Committee for the unusual zeal brought to its legislative duties in this instance and may it serve as a shining example for interim committees in the future who want to get really close to their areas of study.

On motion of Rep. Minus, the rules were suspended and the resolution, H. J. R. 27, was adopted.

SPECIAL ORDER

The House then proceeded with the consideration of the bills on the Special Order Calendar.

And the bill:

H. 51. Relating to the method of giving notice of the requirement of attendance of jury service and the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

Was taken up.

SUBSTITUTE OFFERED

Rep. Cates offered the following substitute to the bill, H. 51:

A BILL TO BE ENTITLED AN ACT

Relating to the method of giving notice of the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. In the service of summons and complaints or subpoenas requiring the attendance of witnesses in any civil, criminal, equity, or other case or proceeding in either the small claims court, district court of circuit court, and whether civil, criminal or juvenile, in the county, or before the grand jury of the county may be served by the sheriff or constable personally or by leaving a copy thereof at the place of residence of the witness, or the sheriff may serve the same by placing a copy thereof in the United States mail, certified, return receipt requested, enclosing the subpoena in an envelope properly stamped and addressed to the person or witness to be served. Upon service by the sheriff upon any witness or person by any one of the foregoing methods, the sheriff shall immediately mark the process executed. If the subpoena so mailed is not delivered to the address but is returned to the sheriff by the United States Post Office Department, then the sheriff shall immediately make a diligent effort to serve the subpoena either personally or by leaving a copy thereof at the place of residence of the witness.

Section 2. Anything to the contrary notwithstanding, in Section 1 above, any judge having jurisdiction of the proceeding or case may, on motion of any party or on the court's own motion, order any particular subpoena or the subpoenas in any case or proceeding to be served personally or by leaving a copy thereof at the place of residence of the said witness or person or by United States registered or certified mail.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bennett, Blake, Bowling, Brakefield, Cates, Cosby, Dial, Edwards, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Horn, Laird, Langford, Letson, Minus, Moore, Olive, Owens, Patton, Ray, Reed, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Trammell, Ward, Warren, Williams, Willis and Wyatt.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 51. Relating to the method of giving notice of the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cobb, Cosby, Dial, Edwards, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Holmes, Horn, Kelley, Laird, Langford, Letson, McMillan, Minus, Moore, Olive, Owens, Patton, Rains, Ray, Reed, Sasser,

Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Trammell, Ward, Warren, Williams, Willis and Wyatt

—53

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 4. Relative to legislative meeting dates from Tuesday, November 3, 1981 through Thursday, November 12, 1981.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES

Rep. Lewis offered the motion to suspend the rules in order to take up out of order the bill, H. 10.

DIVISION OF THE QUESTION

Rep. Tucker called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES ADOPTED

The question was then on the motion offered by Rep. Lewis to suspend the rules in order to take up for immediate consideration the bill, H. 10, and the motion was adopted.

Yeas 15; Nays 3.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Gafford, Lewis, Moore, Olive, Payne, Seibels, Smith (J), Trammell, Waggoner and Willis.

—15

Nays: Reps. Escott, Horn and Tucker.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO POSTPONE TABLED

On motion of Rep. Lewis, the motion offered by Rep. Tucker to postpone consideration of the bill, H. 10, to the fifth legislative day, was tabled.

Yeas 11; Nays 2.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Gafford, Lewis, Olive, Payne, Seibels and Waggoner.

—11

Nays: Reps. Escott and Horn.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 10. Relating to Jefferson County in regard to establishing the salary of the Deputy Probate Judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 17; Nays 0.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Hall, Horn, Lewis, Moore, Olive, Payne, Seibels, Trammell, Waggoner and Zoghby.

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Gafford to suspend the rules in order to take up out of order the bill, H. 17, was lost, lacking a four-fifths vote.

Yeas 9; Nays 6.

Yeas:

Reps. Biddle, Cabaniss, Escott, Gafford, Horn, Moore, Reed, Seibels and Waggoner.

—9

Nays: Reps. Boles, Cheatwood, Lewis, Olive, Payne and Trammell.

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Waggoner, the rules were suspended in order to take up out of order the bill, H. 39.

Yeas 15; Nays 2.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Gafford, Hines, Lewis, Moore, Olive, Payne, Reed, Seibels, Trammell and Waggoner.

—15

Nays: Reps. Escott and Horn.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 39. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 14; Nays 0.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Lewis, Moore, Olive, Payne, Reed, Seibels and Trammell.

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, H. 40, was lost, lacking a four-fifths vote.

Yeas:

Reps. Amari, Bennett, Biddle, Cabaniss, Gafford, Lewis, Moore, Olive and Waggoner.

—9

Nays: Reps. Boles, Cheatwood, Escott, Horn, Payne and Tucker.

—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Gafford, the rules were suspended in order to take up out of order the bill, H. 42.

Yeas 15; Nays 1.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Howard, Moore, Olive, Payne, Seibels, Trammell, Tucker and Waggoner.

—15

Nay: Rep. Escott.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 42. (With Amendments): To establish the salary for the Sheriff of Jefferson County, Alabama: and to provide that the salary as fixed by this Act shall take effect at the beginning of the next term of office of said officer and the beginning of each term of office of said officer thereafter.

Was taken up.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Amend H. B. 42 on page 1, Section 2, line 17, by leaving the word "them" and striking the remainder of line 17; also striking all of lines 18 and 19, and on line 20 strike the words "by Jefferson County"

And the amendment was adopted.

Yeas 11; Nays 0.

Yeas:

Reps. Bennett, Biddle, Boles, Gafford, Howard, Moore, Olive, Payne, Seibels, Trammell and Waggoner.

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

Amend H. B. 42, page 1, by striking the entire Section 3, and inserting in lieu the following Section 3:

"Section 3. Commencing at the next term of office the annual salary of the Sheriff is hereby fixed at an amount of \$49,000.00 (Forty Nine Thousand Dollars)."

And the amendment was adopted.

Yeas 14; Nays 0.

Yeas:

Reps. Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Howard, Moore, Olive, Payne, Seibels, Trammell, Tucker and Waggoner.

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 42 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 14; Nays 0.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Howard, Moore, Olive, Payne, Trammell, Tucker and Waggoner.

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Gafford to suspend the rules in order to take up out of order the bill, H. 17, was lost, lacking a four-fifths vote.

Yeas 10; Nays 6.

Yeas:

Reps. Bennett, Biddle, Cabaniss, Escott, Gafford, Horn, Howard, Moore, Tucker and Waggoner.

—10

Nays: Reps. Boles, Cheatwood, Lewis, Olive, Payne and Trammell. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Waggoner, the rules were suspended in order to take up out of order the bill, H. 43.

Yeas 15; Nays 0.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Hines, Lewis, Moore, Olive, Payne, Seibels, Trammell and Waggoner.

—15

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 43. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 15; Nays 0.

Yeas:

Reps. Amari, Bennett, Biddle, Boles, Cabaniss, Cheatwood, Gafford, Hines, Lewis, Moore, Olive, Payne, Seibels, Trammell and Waggoner.

—15

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 61. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 11; Nays 2.

Yeas:

Reps. Bennett, Boles, Cabaniss, Escott, Hines, Howard, Moore, Seibels, Smith (J), Trammell and Waggoner.

—11

Nays: Reps. Lewis and Olive.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 5. Relating to Marion County; amending Section 1 of Act No. 108, H. 78, 1978 Regular Session (Acts 1978, p. 1825), relating to an additional expense allowance for members of the county board of education, so as to increase the amount of such allowance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 32; Nays 0.

Yeas:

Mr. Speaker, Barton, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Carter, Cobb, Cosby, Dixon, Ford, Gafford, Gilmer, Goodwin, Grouby, Hall, Hammett, Harvey, Hines, Letson, Minus, Moore, Ray, Seibels, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner and Williams.

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 82. To authorize the Blount County Commission to provide protection against forest fires within the county to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 34; Nays 1.

Yeas:

Mr. Speaker, Barton, Bennett, Biddle, Brakefield, Cabaniss, Carter, Cheatwood, Cooley, Cosby, Gafford, Goodwin, Hall, Hammett, Harvey,

Higginbotham, Kelley, Letson, Minus, Moore, Olive, Parker, Penry, Rains, Ray, Sasser, Seibels, Smith (C), Smith (J), Stewart, Trammell, Venable, Williams and Willis.

—34

Nay: Rep. Ford.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 85. (With Amendment): Relating to Escambia County, providing for the payment of one-third of the moneys received by Escambia County under the provisions of Act No. 2, General Acts 1945, page 20, and under Act No. 2057, General Acts 1971, page 3317 (Sections 40-20-1 through 40-20-13, 1975 Code of Alabama) to the Escambia County Board of Education; to provide for its use; to provide a method for its distribution; and to repeal Local Act No. 344, Acts of Alabama 1953, page 407, Local Act No. 883, Acts of Alabama 1978, page 1312, Local Act No. 612, Acts of Alabama 1978, page 869, and Local Act No. 894, Acts of Alabama 1978, page 1330, and all other acts in conflict.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend House Bill 85 on Page 1, immediately after Line 31 by adding a new Section 3 and renumbering remaining sections accordingly.

New Section 3 to read as follows:

Section 3. The Escambia County Commission shall earmark a minimum of \$100,000 per year to be appropriated to the Escambia County Industrial Development Authority. The Authority shall reimburse any unspent monies to the County General Fund at the end of each fiscal year.

And the amendment was adopted.

Yeas 34; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Carter, Dixon, Ford, Gafford, Goodwin, Grouby, Hall, Hammett, Higginbotham, Hines, Kelley, McMillan, Moore, Olive, Payne, Penry, Ray, Reed, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable and Waggoner.

—34

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 85, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Carter, Cobb, Ford, Gafford, Gilmer, Goodwin, Grouby, Hall, Hammett, Harvey, Higginbotham, Hines, Johnson (Roy), Kelley, Minus, Moore, Olive, Payne, Penry, Ray, Reed, Seibels, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Venable, Williams and Willis.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 88. Relating to the practice of barbering in Escambia County; to regulate further the training and licensing of barbers and conditions under which barbers and cosmetologists may work in such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bennett, Biddle, Bowling, Brakefield, Cabaniss, Campbell, Carter, Cheatwood, Ford, Gafford, Grouby, Hall, Hammett, Harvey, Higginbotham, Hines, Johnson (Roy), Kelley, Letson, McMillan, Minus, Moore, Olive, Parker, Penry, Ray, Reed, Seibels, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Venable, Williams and Willis.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 56. (With Amendment): Relating to Montgomery County; to provide an additional expense allowance for the members of the Board of Education.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

Amend H. B. 56, Section 2, Page 1, line 27 after the word "law" by striking (the period) and adding the following: and by an affirmative vote of the Board accepting the expense allowance increase.

And the amendment was adopted.

Yeas 16; Nays 0.

Yeas:

Reps. Bennett, Biddle, Cheatwood, Dixon, Ford, Gafford, Goodwin, Grouby, Hall, Higginbotham, Langford, Moore, Seibels, Smith (C), Stewart and Wyatt.

—16

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 56 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 11; Nays 0.

Yeas:

Reps. Biddle, Cosby, Dixon, Goodwin, Grouby, Hall, Hines, Langford, Moore, Seibels and Wyatt.

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith (J), the rules were suspended in order to take up out of order the bill, H. 15.

Yeas 50; Nays 0.

Yeas:

Reps. Amari, Barton, Bennett, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (G), Cooley, Cosby, Daniels, Dial, Dixon, Edwards, Goodwin, Grouby, Hall, Harvey, Higginbotham, Hines, Holley, Kelley, Langford, Letson, McKee, McMillan, Manley, Minus, Naramore, Olive, Parker, Patton, Payne, Pegues, Penry, Roberts, Seibels, Smith (C), Smith (M), Stewart, Turnham, Venable, Waggoner, Ward, Warren, Willis, Wyatt and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 15. To amend Section 1 of Act No. 81-967 of the first special session of the Alabama Legislature in 1981 by further amending § 43-3-10 Code of Alabama 1975, which provides for descent and distribution of personalty.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Biddle, Brakefield, Cabaniss, Campbell, Carter, Cates, Cobb, Coburn, Cooley, Cosby, Daniels, Dial, Drinkard, Edwards, Ford, Gafford, Goodwin, Grouby, Hall, Hammett, Harvey, Higginbotham, Hines, Kelley, Langford, Letson, McMillan, Minus, Moore, Naramore, Olive, Parker, Patton, Payne, Pegues, Penry, Ray, Roberts, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Warren, Willis, Wyatt and Zoghby.

—56

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. McKee, the rules were suspended in order to take up out of order the bill, H. 34.

Yeas 59; Nays 1.

Yeas:

Reps. Adams (H), Albright, Barton, Bennett, Blake, Boles, Buskey, Campbell, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Daniels, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Hines, Holley, Holmes, Horn, Johnson (Roy), Kennedy, Langford, Letson, Minus, Naramore, Olive, Parker, Patton, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (C), Smith (J), Stewart, Stout, Turner, Turnham, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—59

Nay: Rep. McKee

—1

CO-SPONSORS ADDED

Reps. Johnson (Roy) and Holmes were added as co-sponsors to the bill, H. 34.

And the bill:

H. 34. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (Roy), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Minus, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (C), Smith (J), Stewart, Stout, Turner, Turnham, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—74

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Manley, the rules were suspended in order to take up out of order the bill, H. 3.

Yeas 57; Nays 1.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (W), Coburn, Cooley, Daniels, Dial, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Holmes, Langford, Letson, McKee, McMillan, Mitchell, Naramore, Olive, Patton, Penry, Ray, Reed, Roberts, Sasser, Seibels, Shavers, Smith (C), Stout, Turner, Turnham, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—57

Nay: Rep. Albright.

—1

And the bill:

H. 3. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Bennett, Boles, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Clark (G), Coburn, Cooley, Daniels, Drinkard, Edwards, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Hines, Holley, Holmes, Langford, Letson, McKee, McMillan, Manley, Mitchell, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Shavers, Smith (C), Stewart, Stout, Turner, Turnham, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—59

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Biddle, the rules were suspended in order to take up out of order the bill, H. 1.

Yeas 41; Nays 3.

Yeas:

Reps. Albright, Bennett, Brakefield, Cabaniss, Campbell, Cheatwood, Coburn, Daniels, Dixon, Drinkard, Escott, Ford, Gilmer, Goodwin, Grouby, Hall, Hammett, Harvey, Hines, Langford, Letson, McKee, McMillan, Manley, Olive, Patton, Payne, Penry, Ray, Seibels, Smith (C), Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Williams, Willis, Wyatt and Zoghby.

—41

Nays: Mr. Speaker, Holley and Shavers.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1. To establish a lifetime resident hunting license, a lifetime resident fishing license, and a combination lifetime resident hunting and fishing license; to provide for the deposit of the proceeds into a special account in the Game and Fish Fund, to be called the Alabama Game and Fish Endowment Fund, and to prescribe the manner in which said account will be administered.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carter, Cates, Cheatwood, Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holley, Johnson (Roy), Kelley, Langford, McKee, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shavers, Smith (C), Smith (J), Smith (M), Stewart, Stout, Trammell, Turner, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—75

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Amari, the rules were suspended in order to take up out of order the bill, H. 22.

Yeas 38; Nays 0.

Yeas:

Reps. Adams (C), Barton, Bennett, Blake, Bowling, Brakefield, Carter, Cobb, Cosby, Crow, Ford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Higginbotham, Hines, Holley, Jackson, McMillan, Mitchell, Olive, Patton, Penry, Rains, Ray, Seibels, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Warren, Willis, Wyatt and Zoghby.

—38

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 22. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 4.

Yeas:

Reps. Amari, Bedsole, Bennett, Biddle, Boles, Bowling, Brakefield, Cabaniss, Carter, Cates, Clark (W), Coburn, Cooley, Dixon, Edwards, Escott, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Laird, Moore, Naramore, Olive, Patton, Rains, Reed, Roberts, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Tucker, Turner, Warren, Whatley, Williams, Willis and Zoghby.

—51

Nays: Reps. Gilmer, Hall, Payne and Seibels.

—4

CO-SPONSORS ADDED

Reps. Reed and Patton were added as co-sponsors to the bill, H. 22.

H. 73 TEMPORARILY POSTPONED

On motion of Rep. Dixon, the bill, H. 73, was temporarily postponed.

And the bill:

H. 77. To propose an amendment to the Constitution of Alabama of 1901 authorizing the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, and providing that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds

issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Horn, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Tucker, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—82

Nay: Rep. Boles.

—1

CO-SPONSOR ADDED

Rep. Gilmer was added as co-sponsor to the bill, H. 77.

And the bill:

H. 79. To repeal Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Finance Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982.

Was taken up.

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 79:

Amend the Synopsis and title of House Bill 79 to read as follows:

Synopsis: This bill repeals amends the limitation upon the authority of the Alabama Housing Finance Authority to issue its bonds after March 31, 1982. , to extend said date until December 31, 1983.

Title: To repeal amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982. , to extend said date until December 31, 1983.

Further amend House Bill 79, Section 1, by deleting said section in its entirety, to-wit: Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Financing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, is hereby repealed. and substitute in lieu thereof the following:

Section 1. Notwithstanding any other provision of Title 29-1A-9, the authority shall not issue any bonds, other than refunding bonds, subsequent to December 31, 1983.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 84; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Turnham, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—84

Nay: Rep. Jackson.

—1

And the bill:

H. 79. To amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, to extend said date until December 31, 1983.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—92

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Rep. Manley offered the motion to reconsider the vote by which the bill, H. 77, was passed, and the motion to reconsider was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hali, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—81

H. 77 TEMPORARILY POSTPONED

On motion of Rep. Manley, consideration of the bill, H. 77, was temporarily postponed.

UNFINISHED BUSINESS

The House then proceeded with the consideration of the Unfinished Business.

And the bill:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be certain moneys derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

As amended on the third legislative day, was taken up.

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment to the bill, H. 73 as amended:

Amend the bill in the title page 1 on line 25 after the words "shall be" by striking the words "certain moneys" and inserting in lieu thereof the words income from the investment of certain advance rentals

Further amend the bill in Section 1, page 2 on lines 33 and 34 by striking the words "aforesaid advance rentals and the income from the investment thereof" and substituting in lieu thereof the words "income from the investment of the said advance rentals".

Further amend the bill in Section 3, page 3, on line 28 by adding after the comma the words "the income from the investment and reinvestment of"

Further amend the bill in Section 3, page 3, on lines 32 and 33 by striking the words "and the income from the investment and reinvestment of such moneys."

Further amend the bill in Section 3, page 3, on line 37 by striking the words "Any provision of law requiring the transfer of the moneys in the" and continuing onto page 3, lines 5 through 10, by striking said lines in their entirety and substituting in lieu thereof the following:

"Subject to the provisions of Section 5 hereof, the moneys in the said separate fund which are herein appropriated shall be held apart from any permanent trust fund created by any constitutional amendment proposed at the session of the Legislature at which this Act is adopted and shall not be included with the moneys transferred into such permanent trust fund."

Further amend the bill in Section 5, page 4, on line 29 by striking the word "disbursement" and substituting in lieu thereof the word "use".

Further amend the bill in Section 5, page 4, on lines 31 through 37 by striking said lines in their entirety and substituting in lieu thereof the following:

"appropriation made herein of moneys not needed for the issuance of such bonds shall terminate and such moneys shall remain in the general fund of the State; provided, however, that if any constitutional amendment proposed at the session of the Legislature at which this Act is adopted provides for the creation of a permanent trust fund, and if such constitutional amendment provides for the transfer into such permanent trust fund of the money considered as a separate fund within the general fund of the State under the terms of Section 3 of this Act, then any moneys appropriated herein which are not needed for the issuance of such bonds and would otherwise remain in the general fund of the State".

Further amend the bill in Section 5, page 5, on line 5 by striking the words "result of the termination of such appropriation."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—80

AMENDMENT OFFERED

Rep. Holmes offered the following amendment to the bill, H. 73 as amended:

On page 3, line 25, after the period, insert the following language:

The monies appropriated by this Act shall be distributed based upon the racial composition of the state.

AMENDMENT TABLED

On motion of Rep. Clark (G) the amendment offered by Rep. Holmes to the bill, H. 73 as amended, was tabled.

Yeas 46; Nays 14.

Yeas:

Reps. Amari, Barton, Brakefield, Cabaniss, Carter, Cates, Clark (G), Cobb, Crow, Daniels, Dial, Dixon, Gilmer, Grimsley, Hall, Hammett, Harper (O), Harper (T), Harvey, Johnson (Roy), Kelley, Letson, Lewis, McKee, McMillan, Manley, Mitchell, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (M), Turner, Waggoner, Wyatt and Zoghby.

—46

Nays:

Reps. Albright, Blake, Buskey, Cosby, Escott, Ford, Holley, Holmes, Horn, Howard, Langford, Nevett, Reed and Tucker.

—14

AMENDMENT OFFERED

Rep. Bowling offered the following amendment No. 1 to the bill, H. 73 as amended:

On page 3, at the end of line 25 insert the following:

The total fees for all Board services rendered in connection with the issuance of the bond issue provided herein shall not exceed one-half of one percent of the total bond issue.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Bowling to the bill, H. 73, as amended, was tabled.

Yeas 63; Nays 13.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Cabaniss, Campbell, Carter, Cates, Clark (W), Coburn, Cosby, Crow, Daniels, Dail, Dixon, Drinkard, Edwards, Ford, Gilmer, Grimsley, Grouby, Hammett, Harper (T), Harvey, Hines, Holley, Jackson, Johnson (R. G.), Kelley, McKee, McMillan, Manley, Minus, Mitchell, Moore, Nevett, Owens, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Stewart, Trammell, Turner, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—63

Nays:

Reps. Albright, Blake, Bowling, Brakefield, Cheatwood, Gafford, Hall, Howard, Johnson (Roy), Letson, Olive, Smith (M), and Wyatt.

—13

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 21. COMMENDING MR. BILL KLING, JR., FOR OUTSTANDING ACHIEVEMENT IN RADIO BROADCASTING.

Also:

H. J. R. 24. COMMENDING ORGANIZATIONS AND INDIVIDUALS PARTICIPATING IN THE RETURN OF A SELMA MANUFACTURED BROOKE CANNON TO THE CITY OF ITS MANUFACTURE.

Also:

H. J. R. 25. HONORING DR. NATHAN L. HODGES ON HIS APPOINTMENT AS PRESIDENT OF GEORGE C. WALLACE STATE COMMUNITY COLLEGE.

Also:

H. J. R. 26. COMMENDING MR. JOHNNY CHILDS OF CLAYHATCHEE, ALABAMA, FOR EXTRAORDINARY BRAVERY.

Also:

H. J. R. 27. PRAISING THE FEARLESS RIVER RAFTERS.

McDOWELL LEE,
Secretary.

H. 73 RESUMED

AMENDMENT OFFERED

Rep. Bowling offered the following amendment No. 2 to the bill, H. 73 as amended:

On page 1, on line 14, strike the period and insert in lieu thereof:

, and to prohibit certain persons from receiving financial gain from this act and setting criminal penalties for violating said prohibition.

On page 1, on line 28, strike the period and insert in lieu thereof:

, and to prohibit certain persons from receiving financial gain from this act and setting criminal penalties for violating said prohibition.

On page 5, on line 8, insert the following new section and renumber subsequent sections accordingly:

Section 6. No elected or appointed official of the state or their relatives by blood or marriage to the fourth degree of kinship or any business partner or law partner of said official shall receive any financial benefits directly or indirectly from the provisions of this act. Provided however, said persons may receive any compensation or expenses provided by this act. Any person who is convicted in the proper court of law of violating this provision shall be guilty of a Class B felony as defined by the Code of Alabama 1975.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Bowling to the bill, H. 73 as amended, was tabled.

Yeas 45; Nays 23.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Cabaniss, Clark (G), Coburn, Cosby, Crow, Daniels, Dial, Gilmer, Grimsley, Hammett, Harper (T), Harvey, Hines, Johnson (R. G.), Johnson (Roy), Kelley, Laird, McMillan, Minus, Mitchell, Owens, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Shoemaker, Smith (M), Stewart, Turner, Turnham, Venable, Warren, Willis and Zoghby.

—45

Nays:

Reps. Albright, Blake, Boles, Bowling, Brakefield, Carter, Cheatwood, Ford, Hall, Holley, Howard, Langford, Letson, McKee, Manley, Naramore, Nevett, Olive, Payne, Rains, Seibels, Smith (C) and Wyatt.

—23

AMENDMENT OFFERED

Rep. Bowling offered the following amendment No. 3 to the bill, H. 73 as amended:

On page 3, at the end of line 25 insert the following:

the total fees for all legal services rendered in connection with the issuance of the bond issue provided herein shall not exceed one-half of one percent of the total bond issue.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 3 offered by Rep. Bowling to the bill, H. 73 as amended, was tabled.

Yeas 46; Nays 26.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Cabaniss, Campbell, Carter, Cates, Clark (G), Cosby, Daniels, Dial, Gilmer, Grimsley, Hammett, Harper (T), Jackson, Johnson (R. G.), Johnson (Roy), Kelley, McMillan, Manley, Minus, Mitchell, Moore, Owens, Patton, Pegues, Ray, Reed, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Venable, Waggoner, Ward, Warren and Zoghby.

—46

Nays:

Reps. Albright, Blake, Boles, Bowling, Brakefield, Cheatwood, Dixon, Escott, Ford, Goodwin, Hall, Harper (O), Holmes, Howard, Letson, Lewis, Naramore, Nevett, Olive, Payne, Penry, Rains, Shavers, Smith (M), Trammell and Wyatt.

—26

And the bill:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—96

CO-SPONSOR ADDED

Rep. Gilmer was added as co-sponsor to the bill, H. 73.

H. 77 AGAIN TAKEN UP

And the bill, H. 77 which was previously passed, reconsidered and temporarily postponed, was again taken up.

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 77:

Amend the bill in the Title thereof, page 1, on line 19 by striking the word "authorizing" and inserting in lieu thereof the words which will authorize

Further amend the bill in the Title thereof, page 1, on line 24 by striking the words "and providing" and inserting in lieu thereof the words which will provide

Further amend the bill in the Title thereof, page 1, on line 29 by replacing the period with a comma and adding thereafter the following:

and which will provide that such amendment shall have no further force and effect after December 31, 1983.

Further amend the bill on page 2 in line 10 by striking the parenthetical phrase "(as herein after defined)" and inserting in lieu thereof the words "(organized pursuant to the provisions of Act No. 80-585 enacted at the 1980 Regular Session of the Legislature)"

Further amend the bill on page 2 in line 27 by striking the words "For the" at the end of such line and further striking in their entirety lines 28 through 34, inclusive, and inserting in lieu thereof the following:

"This amendment shall have no force and effect after December 31, 1983, and shall not constitute a part of the Constitution of Alabama of 1901 after such date, but the expiration thereof on such date shall not be considered by any court as a reason for holding unconstitutional any law which would have been constitutional without the adoption of this amendment."

MOTION TO TABLE LOST

The motion offered by Rep. Adams (C) to table the amendment offered by Rep. Manley to the bill, H. 77, was lost.

Yeas 24; Nays 60.

Yeas:

Reps. Adams (C), Albright, Barton, Brakefield, Carothers, Crow, Drinkard, Escott, Goodwin, Harvey, Higginbotham, Holmes, Kelley, Laird, Letson, Lewis, McMillan, Minus, Nevett, Patton, Pegues, Starkey, Ward and Whatley.

—24

Nays:

Mr. Speaker, Bedsole, Bennett, Blake, Boles, Bowling, Cabaniss, Campbell, Carter, Cates, Cheatwood, Cobb, Coburn, Cooley, Cosby Daniels, Dixon, Edwards, Ford, Gafford, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Holley, Howard, Johnson (R. G.), Johnson (Roy), Langford, McKee, Manley, Mitchell, Moore, Olive, Owens, Parker, Payne, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Stout, Trammell, Turner, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—60

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 21. COMMENDING MR. BILL KLING, JR., FOR OUTSTANDING ACHIEVEMENT IN RADIO BROADCASTING.

Also:

H. J. R. 24. COMMENDING ORGANIZATIONS AND INDIVIDUALS PARTICIPATING IN THE RETURN OF A SELMA MANUFACTURED BROOKE CANNON TO THE CITY OF ITS MANUFACTURE.

Also:

H. J. R. 25. HONORING DR. NATHAN L. HODGES ON HIS APPOINTMENT AS PRESIDENT OF GEORGE C. WALLACE STATE COMMUNITY COLLEGE.

Also:

H. J. R. 26. COMMENDING MR. JOHNNY CHILDS OF CLAYHATCHEE, ALABAMA, FOR EXTRAORDINARY BRAVERY.

Also:

H. J. R. 27. PRAISING THE FEARLESS RIVER RAFTERS.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 77 RESUMED

AMENDMENT ADOPTED

The question was then on the amendment offered by Rep. Manley to the bill, H. 77, and the amendment was adopted.

Yeas 81; Nays 9.

Yeas:

Mr. Speaker, Adams (H), Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Hines, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Stewart, Stout, Trammell, Turner, Turnham, Venable, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—81

Nays:

Reps. Adams (C), Albright, Barton, Crow, Kelley, Laird, Nevett, Patton and Starkey.

—9

And the bill:

H. 77. To propose an amendment to the Constitution of Alabama of 1901 which will authorize the Legislature to provide by law for the payment

by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, which will provide that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement, and which will provide that such amendment shall have no further force and effect after December 31, 1983.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 98; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—98

Nay: Rep. Boles.

—1

And the bill:

H. 31. Relating to DeKalb County; to provide for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

Was taken up.

AMENDMENT OFFERED

Rep. Stout offered the following amendment to the bill, H. 31.

Amend H. B. 31 on line 22 by deleting the word Forty and substituting in lieu thereof the word Thirty-seven

Further amend on line 25, subsection (B) by striking the entire subsection and inserting in lieu thereof the following:

(B) One-half of the remaining sixty-three percent shall be allotted to the county. The remaining one-half of the sixty-three percent shall be allotted to the municipalities on a per capita basis.

Further amend on line 29 by striking the date October 1, 1981 and substituting thereof January 1, 1982

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Carter, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Letson, McMillan, Manley, Minus, Moore, Naramore, Nevett, Owens, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Roberts, Sandusky, Shavers, Shoemaker, Smith (J), Stewart, Stout, Trammell, Venable, Waggoner, Warren, Willis and Zoghby.

—68

And the bill, H. 31, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Hines, Holley, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Letson, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Roberts, Sandusky, Shavers, Shoemaker, Smith (J), Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Willis and Wyatt.

—77

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:30 P.M. on November 10, 1981.

H. J. R. 4

Delivered to the Governor at 3:55 P.M. on November 10, 1981.

H. J. R. 21

H. J. R. 24

H. J. R. 25

H. J. R. 26

H. J. R. 27

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Boles and pursuant to the resolution, H. R. 22, heretofore adopted, the House adjourned until 12:00 o'clock noon, Wednesday, November 11, 1981.

Yeas 42; Nays 38.

Yeas:

Reps. Albright, Amari, Blake, Boles, Bowling, Buskey, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Dial, Dixon, Escott, Ford, Gafford, Goodwin, Hall, Harper (O), Harvey, Higginbotham, Holley, Holmes, Howard, Kennedy, Laird, Langford, Lewis, Manley, Parker, Payne, Rains, Roberts, Seibels, Shavers, Smith (J), Smith (M), Stout, Trammell, Tucker, Waggoner and Wyatt.

—42

Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Cabaniss, Campbell, Carter, Clark (G), Cosby, Gilmer, Grimsley, Grouby, Hines, Johnson (R. G.), Johnson (Roy), Letson, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Penry, Reed, Sandusky, Sasser, Shoemaker, Starkey, Stewart, Turner, Turnham, Ward, Warren, and Willis.

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FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, November 11, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lawson Bryan, Minister, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll, of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts,

Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Owens, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rep. Owens:

H. R. 28. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Wednesday, November 11, 1981, we adjourn to meet again on Thursday, November 12, 1981, at 10 A.M.

On motion of Rep. Owens, the rules were suspended and the resolution, H. R. 28, was adopted.

BILLS ON SECOND READING

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 104. Relating to Conecuh County; legalizing the sale of draft or keg beer or malt beverages, any laws to the contrary notwithstanding; and providing for the levy, collection and distribution of tax on such draft or keg beer or malt beverages.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 105. (With Substitute): Relating to Colbert County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of

renewal of motor vehicle licenses by mail; to create a special fund in the county treasury to receive such additional fees and costs of renewal by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 102. To approve and authorize the Jefferson County Commission of Jefferson County to increase the rate at which ad valorem taxes are levied in the Jefferson County School District for public school purposes in the District, pursuant to the election in said District held on February 11, 1969, under the Jefferson County Consolidation School Tax Amendment of the Alabama Constitution (Amendment No. 82) from \$.88 to \$1.38 on each \$100 of taxable property in the Jefferson County School District (consisting of all areas of Jefferson County outside of the municipalities of Birmingham, Bessemer, Fairfield, Mountain Brook, Homewood, Vestavia Hills, Tarrant City, and Midfield), the proceeds of said tax to be used for public school purposes in said School District, and to continue each year to and including the tax year ending September 30, 1995; subject, however, to the approval of the qualified electors residing in said Jefferson County School District who vote on the proposal at a special election, and to exempt certain persons from the provisions of the act.

BILLS ON THIRD READING

And the bill:

H. 84. Relating to DeKalb County; authorizing the county commission to employ a county revenue officer to collect county taxes and to inspect licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bennett, Biddle, Blake, Brakefield, Campbell, Carothers, Carter, Cosby, Dixon, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Hines, Langford, Minus, Mitchell, Moore, Naramore, Owens, Pegues, Penry, Rains, Roberts, Seibels, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 98. Proposing an amendment to the Constitution of 1901, authorizing the legislature to abolish the separate offices of tax assessor and tax collector in Colbert County and to provide for the consolidation of the duties of said office into a new office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Hines, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Langford, Lewis, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stout, Trammell, Tucker, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—81

And the bill:

H. 95. Relating to Escambia County; providing further for the compensation and clerical assistance for the county tax assessor and the tax collector.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Barton, Blake, Boles, Brakefield, Carothers, Carter, Cheatwood, Cobb, Coburn, Cooley, Cosby, Crow, Dixon, Edwards, Gafford, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Hines, Howard, Langford, Moore, Naramore, Nevett, Olive, Owens, Penry, Rains, Roberts, Seibels, Smith (C), Trammell, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 96. To provide that the Judge of Probate of Escambia County shall be compensated on a salary basis and to prescribe the amount of such salary; to provide for a minimum number of employees who shall serve at the pleasure of said Judge and to provide for reimbursement of all expenses incurred in the official operation of the office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 39; Nays 0.

Yeas:

Mr. Speaker, Barton, Biddle, Blake, Bowling, Bakefield, Carothers, Carter, Cobb, Coburn, Crow, Drinkard, Edwards, Gafford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Howard, Langford, Moore, Naramore, Olive, Penry, Rains, Ray, Roberts, Seibels, Trammell, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDonald:

S. J. R. 15. NURSING HOME REIMBURSEMENT REGULATION.

WHEREAS, the Alabama Medicaid Agency, State of Alabama, has drafted for implementation January 1, 1982, a new Nursing Home Reimbursement Regulation, and

WHEREAS, this planned Nursing Home Reimbursement Regulation affects the state Medicaid program, the ability of providers to offer adequate nursing home care to the general population, particularly the elderly, of Alabama, and

WHEREAS, the planned Nursing Home Reimbursement Regulation would go into effect on January 1, 1982, without input and/or approval of the Legislature of Alabama, and

WHEREAS, the ability of the State of Alabama to provide adequate and effective care for its elderly and infirmed citizenry could be affected adversely by the implementation of said Nursing Home Reimbursement Regulation, and

WHEREAS, it is incumbent upon the Legislature of Alabama to protect the taxpaying citizens of our state and to assure that adequate and cost effective services are provided under the State's several programs,

NOW THEREFORE BE IT RESOLVED that the Legislature of the State of Alabama does hereby petition the Governor to direct that the planned Nursing Home Reimbursement Regulation, Chapter 22 of the Alabama Medicaid Regulation, scheduled to go into effect as of January 1, 1982, be suspended and implementation be withheld pending legislative review,

AND BE IT FURTHER RESOLVED that the Joint legislative Medicaid Committee be directed to appoint a sub-committee to study implementation

of the new Nursing Home Reimbursement Regulation and report to the legislature prior to the 5th legislative day of the 1982 regular session.

AND BE IT FURTHER RESOLVED that the Alabama Medicaid Agency shall withhold implementation of said new Nursing Home Reimbursement Regulation until legislative review has been completed, and that existing Nursing Home Reimbursement regulations shall remain in force until legislative review is completed and recommendations received and implemented.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On Motion of Rep. Pegues, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 15, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Little, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gulledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 6. MOURNING THE DEATH OF MR. MILO BARRETT HOWARD, DIRECTOR OF THE ALABAMA DEPARTMENT OF ARCHIVES AND HISTORY AND A DISTINGUISHED ALABAMIAN.

WHEREAS, it is with deep sadness and in great personal sorrow that the Alabama Legislature notes the death of Mr. Milo Barrett Howard of Montgomery, Alabama, on November 3, 1981, at the age of just 48 years; and

WHEREAS, a native and lifelong resident of Montgomery, Milo Howard was a member of pioneer families of that city; he was a descendant of Milo Barrett who was publisher of the Montgomery Advertiser in 1864-1865, and of Neill Blue whose home in 1825 was located on the site now occupied by the Alabama Department of Archives and History, the agency Mr. Howard was later to serve for almost three decades; and

WHEREAS, Milo B. Howard was a graduate of Montgomery's Sidney Lanier High School, and of Auburn University where he earned both his bachelors and masters degrees; it was as a student in 1952 that he first worked with the archives, joining the department as a permanent employee in 1958 to be named director in 1967; and

WHEREAS, truly a learned man, Milo Howard achieved national recognition as an archivist and was considered an expert in his primary fields of interest which were his beloved Southland and native Alabama; and

WHEREAS, he was a communicant of Montgomery's historic St. John's Episcopal Church and was a member of the Montgomery Rotary Club, Newcomen Society in North America, the Society of Pioneers, the Thirteen and the Alabama Academy of Honor; and

WHEREAS, Mr. Howard also served as State Historic Preservation Officer, Chairman of the Women's Hall of Fame Board, on the Governor's Mansion Advisory Board and as treasurer of the Alabama Historical Commission; and

WHEREAS, as a scholar and a gentleman, Milo Howard was an individual of impeccable character, of uncompromising principles and of extraordinary ability; he was a distinguished Alabamian whose achievements and contributions in the field of historic preservation will remain unsurpassed; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Milo Barrett Howard of Montgomery, Alabama, and extend our most heartfelt sympathy to his family with whom we share great sorrow, and to whom a copy of this resolution shall be sent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 6, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Miller, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 7. COMMENDING MR. JIM HOUSTON OF THE COLUMBUS LEDGER-ENQUIRER.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 7, title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Little, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison,

Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White.

S. J. R. 8. ACKNOWLEDGING, AND ENCOURAGING THE OBSERVANCE OF NATIONAL VETERANS DAY.

WHEREAS, National Veterans Day was conceived and first celebrated in Birmingham, Alabama in 1947 and has since been annually set aside to honor our nation's veterans who have fought for our freedom and for the independence we have treasured for more than 200 years; and

WHEREAS, on Veterans Day, 1981, to be nationally observed Wednesday, November 11, we once again freely acknowledge our debt to the thousands of men and women of our armed forces who served and sacrificed on our behalf; and

WHEREAS, our country's strength has come from the strength of those who answered the call of duty when sounded and those who responded with courage, served in honor and even died that our nation might flourish; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby acknowledge Veterans Day, 1981 as a memorial to those who have served to protect our freedom, and call upon all Alabamians to support the observance of November 11 as a national day of honor for our country's veterans by displaying the flag of our United States with grateful pride and thanksgiving.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 8, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Mitchem, St. John and Hall:

S. J. R. 11. DESIGNATING A PORTION OF U.S. HIGHWAY 78 "GEORGE LINDSEY HIGHWAY".

WHEREAS, George "Goober" Lindsey was born and raised in the City of Jasper, Alabama; and

WHEREAS, George "Goober" Lindsey, through his philanthropic efforts, was largely responsible for the financing of the George Lindsey Aquatic Center at Partlow State School in Tuscaloosa, Alabama; and

WHEREAS, George "Goober" Lindsey has raised and donated over \$26,000 to the Alabama Association of Retarded Citizens through benefit performances; and

WHEREAS, George "Goober" Lindsey will be celebrating the tenth anniversary of the "George Lindsey Celebrity Golf Weekend" in 1982, having raised over \$500,000 to support athletic and physical fitness programs that have benefitted thousands of Alabamians; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all that portion of U.S. Highway 78 from the western Jasper City limits at mile post 57.90 east to the eastern city limits at mile post 65.38 in Jasper, Alabama, is designated as the "George Lindsey Highway," and that the State Highway Department is authorized to erect and maintain appropriate signs or markers designating this portion of highway as above provided.

RESOLVED FURTHER, That the President of the Senate shall cause a copy of this resolution be sent to Mr. George "Goober" Lindsey.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Biddle, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 11, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Mitchem:

S. J. R. 12. HONORING KIWANIS CLUBS IN ALABAMA.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Dixon, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 12, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pearson:

S. J. R. 17. AMENDING S. J. R. 19, ACT NO. 81-954, 1981 FIRST SPECIAL SESSION, RELATING TO INTERIM LEGISLATIVE COMMITTEE TO STUDY FEDERAL BLOCK GRANTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That S. J. R. 19, Act No. 81-954, 1981, First Special Session is hereby amended to read as follows:

There is hereby created a joint interim committee to be composed of members of the Senate Finance and Taxation Committee, members of the House Ways and Means Committee and four members of the Senate, Senator Chip Bailey and Senator Charles Martin and two other members of the Senate appointed by the Lieutenant Governor, and four members of the House, Representative Tony Harrison and Representative Martha Jo Smith and two other House members appointed by the Speaker of the House. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets concerning the acquisition, maintenance and allocation of Federal Block Grants.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the Legislature not later than the twentieth (20th) legislative day of the 1982 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total of such expenses shall not exceed \$47,000.00.

Any subcommittee created pursuant to this resolution shall include the Select Joint Committee to Study the State Medicaid Programs created by S. J. R. 172, Act 79-816, 1979 Special Session of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 17, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Kirkland and Barron:

S. J. R. 18. CONGRATULATING MISS SUE A. BELL OF EVERGREEN, ALABAMA; UPON HER APPOINTMENT AS DISTRICT JUDGE IN CONECUH COUNTY.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Warren, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 18, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Teague, Proctor, Mitchem, St. John, Higginbotham, Denton, Britnell, Kirkland, Holmes, deGraffenried, Martin, Keener, White, Lemaster, Bailey, Little and Vacca:

S. 46. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to September 30, 1982, and to provide that the moneys so appropriated shall be certain moneys derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Also:

By Messrs. Teague, Proctor, Mitchem, St. John, Higginbotham, Britnell, Denton, Kirkland, Holmes, deGraffenried, Martin, Keener, White, Lemaster, Bailey, Little and Vacca:

S. 41. To propose an amendment to the Constitution of Alabama 1901 authorizing the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, and providing that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement.

Also:

By: Messrs. Teague, Proctor, Mitchem, St. John, Higginbotham, Denton, Britnell, Kirkland, Holmes, deGraffenried, Martin, Hall, Keener, White, Lemaster, Bailey, Little and Vacca:

S. 39. To repeal Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Finance Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982.

Also:

By Messrs. Teague, Proctor, Mitchem, St. John, Higginbotham, Britnell, Denton, Kirkland, Holmes, deGraffenried, Hall, Martin, Keener, White, Lemaster, Bailey, Little and Vacca:

S. 44. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the

event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 46. Ways and Means.

SENATE MESSAGE

The Senate Bill, S. 41, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Ways and Means.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 39. Ways and Means.

S. 44. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harrison:

S. 10. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

Also:

By Messrs. Little and Higginbotham:

S. 17. To provide for a county salary supplement for the District Attorney of the 37th judicial circuit; to provide for the payment of such supplement out of county general funds; and to provide for an effective date.

Also:

By Messrs. Denton and Britnell:

S. 11. To amend Section 28-3-74 (e) of the Code of Alabama 1975, to provide that when a county changes its status from a dry county to a wet county that such county will be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year. To further provide that a newly created municipality in a wet county shall be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 10. Ways and Means.

S. 17. Local Legislation No. 1.

S. 11. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Higginbotham and Little:

S. 20. To amend Section 12-17-61, Code of Alabama 1975, relating to the number of district court judges in the State of Alabama so as to provide two district court judges for Lee County and to provide for the time of establishment of such judgeship No. 2 and for the appointment of and election of such additional district judge.

Also:

By Mr. deGraffenried:

S. 8. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used tire of an automotive vehicle or truck trailer, semitrailer, or house trailer is taken in trade as a credit or part payment on the sale of a tire for an automotive vehicle, truck trailer, semitrailer, or house trailer, the sales tax shall be paid on the net difference.

Also:

By Mr. Lemaster (With Notice and Proof):

S. 31. Relating to DeKalb County, to provide for an advisory referendum to select one of two methods for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 31 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 20. Ways and Means.

S. 8. Ways and Means.

S. 31. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. White:

S. 18. To state the intent of the Legislature; to amend § 34-24-70 of the Code of Alabama, 1975, to state the qualifications required of applicants by examination or by reciprocity; to distinguish between graduates of colleges of medicine and colleges of osteopathy located in the United States or District of Columbia and other such graduates; to permit receipt of satisfactory evidence showing graduation in lieu of a diploma; to delete the requirement that a graduate of a foreign medical or osteopathic school complete a residency; to delete the requirement that a graduate of a foreign medical or osteopathic school be eligible to take the examination of an approved specialty board; to amend the requirement that a graduate of a foreign medical or osteopathic school be certified by the educational council for foreign medical graduates so that such graduate must only have received a passing grade on the written examination; to require that graduates of foreign medical or osteopathic schools complete at least one year of internship at a hospital approved by the board of medical examiners; to delete the provision of § 34-24-70 that relates to county licenses; to require graduates of foreign medical or osteopathic schools and graduates of medical or osteopathic schools located in the United States or District of Columbia who have not passed a specified written examination within the ten years immediately preceding the date of the application to successfully complete an oral examination; to exempt from such oral examination applicants who have been certified by an approved

specialty board or who have passed a recertification examination given by an approved board within the same ten year period; and to provide rule making authority.

Also:

By Mr. Gullledge:

S. 15. To amend section 36-17-3, Code of Alabama 1975, relating to the duties of the state treasurer, so as to further authorize the treasurer to deposit money and securities deposited with the state to be held in the vault of any bank in the state which is insured by the Federal Deposit Insurance Corporation and located in a federal reserve bank city.

Also:

By Mr. Weeks:

S. 7. Proposing an amendment to the Constitution of 1901 authorizing the legislature, from time to time, to change the charges and costs of court in Pike County and to place certain officials on salary or otherwise change the method or basis of compensation and disposition of the charges or changes in court costs.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 18. Health.

S. 15. Ways and Means.

SENATE MESSAGE

The Senate Bill, S. 7, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Britnell and Denton (With Notice and Proof):

S. 12. Relating to Franklin County; to provide for additional expense allowances for certain officials of said county and to provide for its retroactive effect.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 12 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Keener (With Notice and Proof):

S. 29. To repeal Act No. 452, S. 663, approved August 20, 1973, Regular Session 1973 (Acts 1973, p. 639), entitled "An Act Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census."

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 29 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Keener (With Notice and Proof):

S. 30. Relating to Etowah County; to provide for deputy district attorneys for the county.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 30 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Little (With Notice and Proof):

S. 48. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 48 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 12. Local Legislation No. 1.

S. 29. Local Legislation No. 1.

S. 30. Local Legislation No. 1.

S. 48. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Teague, Proctor, Mitchem, St. John, Higginbotham, Denton, Britnell, Kirkland, Holmes, deGraffenried, Martin, Hall, Keener, White, Lemaster, Bailey, Little and Vacca:

S. 42. To appropriate six million dollars (\$6,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 42. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Martin:

S. 27. To amend Sections 22-12A-2, 22-12A-3 and 22-12A-6 of the Code of Alabama 1975, relating to the Perinatal Health Act and legislative intent, content and the use of funds generally, so as to further provide therefor and enunciate the legislative intent with respect to educational programs.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 27. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. St. John:

S. 51. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

Also:

By Mr. Proctor (With Notice and Proof):

S. 6. To alter, rearrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 6 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Keener (With Notice and Proof):

S. 28. Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 28 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 51, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 6. Local Legislation No. 1.

S. 28. Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

And the bill:

H. 71 (With Amendments): To implement the provisions of an amendment to the Constitution of Alabama of 1901 authorizing the State of

Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvements consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; to pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on said bonds; to create a bond commission with authority to determine the details of said bonds and to sell and issue the same; to provide for the terms, execution and issuance of said bonds; to provide for the investment and reinvestment of the proceeds of such bonds pending the disbursement thereof; to allocate the proceeds of said bonds, together with the investment income derived from said proceeds, to the purposes for which they are to be expended; to authorize the issuance of refunding bonds for the purpose of refunding any outstanding bonds issued pursuant to this Act; and to exempt from taxation in the State all bonds issued pursuant to this Act and the income therefrom.

With pending amendments reported by the Standing Committee on Ways and Means, was taken up.

MOTION TO TEMPORARILY POSTPONE TABLED

On motion of Rep. Clark (G), the motion offered by Rep. Hammett to temporarily postpone consideration of the bill, H. 71 with pending amendments was tabled.

Yeas 54; Nays 28.

Yeas:

Reps. Adams (C), Adams (H), Albright, Bedsole, Bennett, Biddle, Cabaniss, Campbell, Carothers, Carter, Clark (G), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Gregg, Grouby, Hall, Harper (T), Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Kennedy, McKee, Manley, Minus, Mitchell, Moore, Owens, Patton, Pegues, Penry, Reed, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Turnham, Venable, Waggoner, Ward, Whatley, Willis and Zoghby.

Nays:

Reps. Blake, Boles, Brakefield, Buskey, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Escott, Gilmer, Goodwin, Grimsley, Hammett, Harper (O), Langford, Letson, Lewis, Naramore, Nevett, Olive, Payne, Rains, Ray, Seibels, Starkey, Warren and Wyatt.

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SUBSTITUTE AMENDMENT OFFERED

Rep. Clark (G) offered the following substitute amendment to the amendments reported by the Standing Committee on Ways and Means to the bill, H. 71:

Amend the bill in Section 8, page 10 on line 6 by striking the words "but shall not" and inserting in lieu thereof the words "and shall".

Further amend the bill in Section 8, page 11 by striking in their entirety lines 23 through 26 and substituting in lieu thereof the following:

"1. Grading, draining, basing, and paving in connection with the addition of two lanes to the existing two lanes on U.S. Highway 278 near Piedmont between its intersection with Alabama Highway 9 and its crossing of Nance's Creek."

Further amend the bill in Section 8, page 14, lines 36 and 37, and continuing onto page 15, lines 5 and 6, in the subsection under Lauderdale County, item 1, by striking said subsection in its entirety and substituting in lieu thereof the following:

"1. Grading, draining, basing, paving, and construction of a bridge or bridges on a new two-lane segment of Alabama 20 between the Natchez Trace Parkway and Florence."

Further amend the bill in Section 8, page 18 on line 10 by inserting the following:

"Any provision of this Act to the contrary notwithstanding, the Bond Proceeds and Investment Income appropriated and allocated to the State Highway Department pursuant to this section (excluding the portion thereof allocated to the counties of the State) shall be used exclusively for the projects listed above as STATE PROJECTS. All funds not expended by the State Highway Department for such projects shall be disbursed to each of the counties in the same manner, in such proportion and for such purposes as the funds distributed according to the provisions of clauses (i) and (ii) below."

Further amend the bill in Section 8, page 18 on line 14 by striking after the word "payment" the following: "of eighty percent (80%)".

Further amend the bill in Section 8, page 18 on line 36 after the words "county engineer" by inserting the punctuation and words ", a licensed engineer registered in this state".

Further amend the bill in Section 8, page 19 on line 10 after the word and punctuation "project;" by inserting the word "and", by striking in their entirety subsections "(d)" and "(e)" and inserting in lieu thereof the following:

"(d) the construction of such project shall conform to the standards and specifications set out in the State Highway Department publication, "State

Of Alabama Highway Department Standard Specifications For Highway Construction, 1981 Edition", and shall be carried out under the inspection and supervision of the county engineer, a licensed civil engineer registered in this state or city engineer, as may be appropriate."

Further amend the bill in Section 8, page 19 by striking in their entirety lines 20, 21, 22, and 23 and on line 24 by striking "undertaking such project."

Further amend the bill in Section 8, page 19 on line 34 after the words "a period of" by striking the words "one year" and inserting in lieu thereof "two years" and on line 36 after the words "such period of" by striking the words "one year" and inserting in lieu thereof "two years".

Further amend the bill in Section 13, page 23 on line 29 by adding after the word "Commission" the following: "and the Alabama Beautification Board".

SUBSTITUTE AMENDMENT ADOPTED

And the substitute amendment was adopted.

Yeas 77; Nays 4.

Yeas:

Reps. Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Lewis, McKee, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Pegues, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

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Nays: Reps. Boles, Holmes, Langford and Wyatt.

—4

MOTION TO RECESS LOST

The motion offered by Rep. Rains that the House recess until 3:00 o'clock p.m., was lost.

AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following amendment to the bill, H. 71 as amended:

On page 1, line 28, delete "(v)"; delete lines 29 and 30 in their entirety; and on line 31 delete the word "waterways,"

Renumber "(vi)" as "(v)" and renumber subsequent subsections until on page 2, line 7, "(xi)" become "(x)".

On page 2, line 8, after the word "Commission;" insert the following "and also to provide funds for the purpose of improving the public schools;"

On page 23, lines 10 through 18, delete Section 12 in its entirety.

Renumber Section 13 as Section 12 and renumber subsequent sections until, on page 25, Section 18 becomes Section 17.

On page 25, following line 12, insert the following new Section 18.

Section 18. Improvement of Schools. Bond Proceeds and Investment Income in the amount of fifty million dollars (\$50,000,000) are hereby appropriated and allocated for capital for use in public schools for capital outlay, to offset the effects of proration, or for such other educational purposes as the legislature may deem to be necessary, and/or expansion of state docks and the moneys so appropriated and allocated shall be disbursed as the legislature shall from time to time determine."

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Johnson (Roy) to the bill, H. 71 as amended, was tabled.

Yeas 60; Nays 43.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Gilmer, Gregg, Grouby, Hammett, Harper (T), Harvey, Higginbotham, Johnson (R. G.), Kelley, Kennedy, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Pegues, Penry, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (M), Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Williams, Willis and Zoghby.

—60

Nays:

Reps. Adams (H), Amari, Blake, Boles, Bowling, Brakefield, Cheatwood, Cobb, Coburn, Cooley, Edwards, Escott, Ford, Gafford, Goodwin, Grimsley, Hall, Harper (O), Harrison, Holley, Holmes, Horn, Howard, Jackson, Johnson (Roy), Laird, Langford, Letson, Lewis, Naramore, Nevett, Olive, Rains, Ray, Reed, Smith (C), Smith (J), Starkey, Trammell, Tucker, Warren, Whatley and Wyatt.

—43

AMENDMENT OFFERED

Rep. Holmes offered the following amendment No. 1 to the bill, H. 71 as amended:

On page 5, line 18, after the period, insert the following language:

The office of the Attorney General shall be solely responsible for the execution, issuance and sale of the bonds. No private attorney or bonding company shall be authorized to be employed by the state to execute the provisions of this Act.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Holmes to the bill, H. 71 as amended, was tabled.

Yeas 70; Nays 20.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Biddle, Bowling, Cabaniss, Campbell, Carothers, Carter, Clark (G), Coburn, Cooley,

Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (T), Harrison, Higginbotham, Hines, Holley, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Laird, Letson, McKee, McMillan, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Pegues, Penry, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Ward, Warren, Whatley, Williams and Zoghby.

—70

Nays:

Reps. Amari, Blake, Boles, Brakefield, Escott, Gafford, Gilmer, Harper (O), Holmes, Horn, Howard, Langford, Manley, Naramore, Payne, Rains, Smith (M), Tucker, Willis and Wyatt.

—20

MOTION TO ADJOURN LOST

The motion offered by Rep. Langford that the House adjourn until 10:00 o'clock a.m., Thursday, November 12, 1981, was lost.

Yeas 23; Nays 70.

Yeas:

Reps. Blake, Boles, Cheatwood, Coburn, Escott, Gafford, Harper (O), Harrison, Higginbotham, Horn, Howard, Jackson, Johnson (Roy), Langford, Letson, Manley, Nevett, Payne, Rains, Smith (M), Tucker, Williams and Wyatt.

—23

Nays:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Bowling, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Ford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Hines, Holley, Holmes, Johnson (R. G.), Kelley, Laird, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Zoghby.

—70

H. 71 RESUMED

AMENDMENT OFFERED

Rep. Starkey offered the following amendment to the bill, H. 71 as amended:

Amend House Bill 71 in the Title, line 23, by inserting the word "streets" after the words "public roads" and before the word "highways"; further

Amend House Bill 71 on page 9, in Section 8, line 27 by inserting the word "streets" after the words "public roads" and before the word "highways".

Further amend the bill on page 9, in Section 8, line 33 by inserting after the word "county" the word "roads" and by striking the words "city roads" and substituting in lieu thereof the words "municipal streets".

Further amend the bill on page 9, in Section 8, line 35 by inserting the word "streets" after the words "public roads" and before the word "highways".

Further amend the bill on page 10, in Section 8, line 5, by adding the word roads after the word "county" and striking the words "city roads" and inserting in lieu thereof the words "municipal streets".

Further amend the bill on page 18 in Section 8, line 15 by inserting the word "roads" after the word "county" and by striking the words "city roads" and inserting in lieu thereof the words "municipal streets".

Further amend the bill on page 18, in Section 8 by striking that part of line 16 reading as follows:

"The amount allocated to projects in each of the counties" and by striking lines 17 through 29 in their entirety and substituting in lieu thereof the following:

The \$30,000,000 appropriated to the counties and municipalities shall be distributed according to the formula for the distribution of gasoline and lubricating oil tax proceeds as set forth in subsection (2) of Section 40-17-223, Code of Alabama 1975.

Further amend on page 18, in section 8 line 33 by striking the word "city" and substituting in lieu thereof the word "municipality".

Further amend page 19, line 9 by striking the word "city" and substituting in lieu thereof the word "municipality"

Further amend on page 19, line 12 by striking the word city and substituting the word "municipality".

Further amend House Bill 71, on page 19, line 21, by striking the word "city" and substituting in lieu thereof the word "municipality".

Further amend on page 19, line 23 by striking the word "city" and inserting in lieu thereof the word "municipality".

Further amend on page 19, line 34 by striking the word "cities" and inserting in lieu thereof the word "municipalities".

MOTION TO TABLE LOST

The motion offered by Rep. Clark (G) to table the amendment offered by Rep. Starkey to the bill, H. 71 as amended, was lost.

Yeas 44; Nays 45.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Boles, Buskey, Campbell, Carothers, Cates, Clark (G), Clark (W), Crow, Dial, Gilmer, Gregg, Hall, Hammett, Harper (T), Holley, Johnson (R. G.), Kelley, Kennedy, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Roberts, Sandusky, Sasser, Shoemaker, Stewart, Stout, Trammell, Turner, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—44

Nays:

Reps. Adams (H), Amari, Barton, Bennett, Blake, Bowling, Brakefield, Cabaniss, Carter, Cobb, Coburn, Cooley, Cosby, Daniels, Dixon, Drinkard,

Escott, Ford, Gafford, Goodwin, Grimsley, Grouby, Harper (O), Harrison, Higginbotham, Holmes, Howard, Jackson, Laird, Langford, Letson, Lewis, McKee, Nevett, Patton, Pegues, Rains, Reed, Riddick, Seibels, Smith (C), Starkey, Tucker, Waggoner and Williams.

—45

The question was then on the amendment offered by Rep. Starkey to the bill, H. 71 as amended.

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Clark (G) to indefinitely postpone the amendment offered by Rep. Starkey to the bill, H. 71 as amended, was lost.

Yeas 50; Nays 50.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Boles, Bowling, Brakefield, Campbell, Cates, Clark (G), Cooley, Cosby, Crow, Daniels, Dial, Edwards, Gilmer, Gregg, Grimsley, Hammett, Hines, Holley, Johnson (R. G.), Johnson (Roy), Kelley, Laird, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Pegues, Penry, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Stout, Turner, Turnham, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—50

Nays:

Reps. Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Buskey, Cabaniss, Carothers, Carter, Cheatwood, Clark (W), Cobb, Coburn, Dixon, Drinkard, Escott, Ford, Gafford, Goodwin, Grouby, Hall, Harper (O), Harper (T), Harrison, Higginbotham, Holmes, Howard, Jackson, Kennedy, Langford, Letson, Lewis, McKee, Moore, Nevett, Patton, Payne, Rains, Reed, Riddick, Sandusky, Seibels, Smith (M), Starkey, Stewart, Trammell, Tucker and Waggoner.

—50

AMENDMENT LOST

The question was again on the amendment offered by Rep. Starkey to the bill, H. 71 as amended, and the amendment was lost.

Yeas 50; Nays 51.

Yeas:

Reps. Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Brakefield, Buskey, Cabaniss, Carter, Cheatwood, Clark (W), Cobb, Coburn, Dixon, Drinkard, Escott, Ford, Gafford, Goodwin, Grouby, Hall, Harper (O), Harrison, Higginbotham, Holmes, Horn, Howard, Jackson, Johnson (Roy), Kennedy, Langford, Lewis, McKee, Moore, Naramore, Nevett, Payne, Rains, Riddick, Roberts, Seibels, Smith (M), Starkey, Trammel, Tucker, Waggoner and Wyatt.

—50

Nays:

Mr. Speaker, Adams (C), Adams (H), Bowling, Campbell, Carothers, Cates, Clark (G), Cooley, Cosby, Crow, Daniels, Dial, Edwards, Gilmer, Gregg,

Grimsley, Hammett, Harper (T), Harvey, Hines, Holley, Johnson (R. G.), Kelley, Laird, Letson, McMillan, Manley, Minus, Mitchell, Olive, Owens, Parker, Pegues, Penry, Ray, Reed, Sasser, Shoemaker, Smith (C), Stewart, Stout, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—51

AMENDMENT OFFERED

Rep. Penry offered the following amendment No. 1 to the bill, H. 71 as amended:

On page 23, in Section 12, at the end of line 18 insert the following: Notwithstanding any other provision of this act to the contrary, the interest accrued upon said fifty million dollars, prior to the completion of the expenditure provided for in this section, shall be paid to the Conservation and Natural Resources Department for capital improvement and land acquisition.

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Rains to postpone further consideration of the bill, H. 71 as amended and with pending amendment, was lost.

Yeas 8; Nays 72.

Yeas:

Reps. Albright, Bowling, Coburn, Gafford, Langford, Payne, Rains and Wyatt.

—8

Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Hines, Holley, Holmes, Jackson, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, McKee, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Williams and Willis.

—72

AMENDMENT TABLED

The question was then on the amendment No. 1 offered by Rep. Penry to the bill, H. 71 as amended, and on motion of Rep. Clark (G), the amendment was tabled.

Yeas 67; Nays 14.

Yeas:

Reps. Adams (C), Adams (H), Albright, Barton, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G),

Clark (W), Cobb, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Grimsley, Hall, Hammett, Harper (O), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, McKee, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Patton, Ray, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams and Willis.

—67

Nays:

Reps. Biddle, Bowling, Cheatwood, Coburn, Gafford, Jackson, Langford, Parker, Rains, Seibels, Stewart, Stout, Waggoner and Wyatt.

—14

AMENDMENT OFFERED

Rep. Penry offered the following amendment No. 2 to the bil, H. 71 as amended:

On page 23, in Section 12, at the end of line 18 insert the following: Notwithstanding any other provision of this act to the contrary, five years after the effective date of this act and interest accrued upon said fifty million dollars, prior to the completion of the expenditure provided for in this section, shall be paid to the Conservation and Natural Resources Department for capital improvement and land acquisition.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Penry to the bill H. 71 as amended, was tabled.

Yeas 55; Nays 21.

Yeas:

Reps. Adams (C), Adams (H), Barton, Bennett, Buskey, Cabaniss, Campbell, Cates, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gregg, Grimsley, Hammett, Harrison, Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Letson, McKee, Manley, Minus, Mitchell, Moore, Olive, Owens, Patton, Pegues, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Trammell, Turner, Turnham, Venable, Ward, Whatley and Willis.

—55

Nays:

Reps. Albright, Bedsole, Biddle, Bowling, Carothers, Carter, Coburn, Drinkard, Ford, Gafford, Hall, Harper (T), Jackson, Langford, Parker, Penry, Rains, Seibels, Stewart, Warren and Wyatt.

—21

AMENDMENT OFFERED

Rep. Turner offered the following amendment to the bill, H. 71 as amended:

Amend H. B. 71 in Section 9, page 20, delete lines 28 through 33 and insert in lieu thereof the following language:

(iv) the sum of \$45,000,000 shall be deposited to the Alabama Special Educational Trust Fund and may be expended either for capital outlay purposes or for teachers' salaries or benefits.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Turner to the bill, H. 71 as amended, was tabled.

Yeas 54; Nays 26.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cobb, Cosby, Daniels, Dial, Dixon, Edwards, Gilmer, Gregg, Hall, Hammett, Harper (T), Hines, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, McKee, McMillan, Manley, Minus, Owens, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Stewart, Stout, Turnham, Venable, Ward, Whatley, Williams and Willis.

—54

Nays:

Reps. Blake, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (W), Coburn, Cooley, Escott, Ford, Grimsley, Harrison, Harvey, Horn, Johnson (Roy), Langford, Naramore, Rains, Reed, Seibels, Trammell, Turner, Waggoner, Warren and Wyatt.

—26

MOTION TO RECESS LOST

The motion offered by Rep. Payne that the House stand in recess, was lost.

Yeas 28; Nays 54.

Yeas:

Reps. Amari, Bennett, Blake, Boles, Brakefield, Cheatwood, Clark (W), Gafford, Grimsley, Hall, Harper (O), Horn, Jackson, Laird, Langford, Lewis, Naramore, Nevett, Olive, Rains, Seibels, Smith (M), Trammell, Tucker, Turner, Waggoner, Williams and Wyatt.

—28

Nays:

Mr. Speaker, Adams (C), Barton, Bedsole, Bowling, Cabaniss, Campbell, Carter, Cates, Cooley, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Ford, Gregg, Grouby, Hammett, Harper (T), Harrison, Harvey, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), McKee, McMillan, Minus, Moore, Owens, Parker, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (J), Stewart, Stout, Turnham, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—54

H. 71 RESUMED

MOTION TO RECONSIDER LOST

Having voted on the prevailing side, Rep. Albright offered the motion to reconsider the vote by which the amendment offered by Rep. Turner to the bill, H. 71 as amended, was tabled, and the motion to reconsider was lost.

Yeas 30; Nays 52.

Yeas:

Reps. Amari, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Carter, Cheatwood, Clark (W), Cobb, Cooley, Escott, Gafford, Goodwin, Harper (O), Harvey, Holmes, Horn, Jackson, Langford, Naramore, Nevett, Rains, Smith (C), Smith (J), Trammell, Turner, Warren and Wyatt.

—30

Nays:

Mr. Speaker, Adams (C), Barton, Bedsole, Cabaniss, Campbell, Cates, Clark (G), Cosby, Daniels, Dial, Dixon, Edwards, Ford, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (T), Higginbotham, Hines, Holley, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, McKee, McMillan, Manley, Minus, Owens, Parker, Patton, Pegues, Ray, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Stewart, Stout, Turnham, Venable, Ward, Whatley, Williams, Willis and Zoghby.

—52

AMENDMENT OFFERED

Rep. Albright offered the following amendment No. 1 to the bill, H. 71 as amended:

In section 9, page 20, line 23, after the word "discretion", add the following language:

, provided further however that \$6,000,000 of the \$22,000,000 of this subdivision shall be disbursed exclusively for the use of Alabama A & M University for capital outlay purposes.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Albright to the bill, H. 71 as amended, was tabled.

Yeas 68; Nays 17.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Blake, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Hines, Holley, Johnson (R. G.), Johnson (Roy), Laird, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Patton, Pegues, Penry, Ray, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Stewart, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Wyatt and Zoghby.

—68

Nays:

Reps. Albright, Bowling, Buskey, Cheatwood, Escott, Hall, Harrison, Holmes, Horn, Howard, Jackson, Kennedy, Langford, Letson, Nevett, Rains and Smith (J).

—17

AMENDMENT OFFERED

Rep. Adams (H) offered the following amendment No. 1 to the bill, H. 71 as amended:

Amend House Bill 71 in Section 8, page 9 on line 31 after the word "that" by striking the words and figures "ten percent (10%)" inserting in lieu thereof the words and figures "twenty percent (20%)".

Further amend House Bill 71 in Section 8, page 9 on line 37 after the words "excluding the" by striking the figures "10%" and inserting in lieu thereof "20%".

Further amend House Bill 71 in Section 8, page 18 on line 12 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "\$60,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 13 at the beginning of the line by striking the figures "10%" and inserting in lieu thereof the figures "20%".

Further amend House Bill 71 in Section 8, page 18 on line 17 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "\$60,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 19 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "\$60,000,000".

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Adams (H) to the bill, H. 71 as amended, was tabled.

Yeas 55; Nays 29.

Yeas:

Reps. Adams (C), Adams (H), Albright, Bennett, Cabaniss, Campbell, Carothers, Carter, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Dial, Edwards, Gilmer, Gregg, Grimsley, Grouby, Hall, Harper (T), Harvey, Holley, Holmes, Johnson (R. G.), Kelley, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Stewart, Stout, Turner, Turnham, Venable, Ward, Whatley, Williams and Willis.

—55

Nays:

Reps. Amari, Barton, Blake, Boles, Brakefield, Clark (W), Coburn, Drinkard, Ford, Gafford, Goodwin, Hammett, Harper (O), Harrison, Howard, Jackson, Langford, Lewis, Naramore, Olive, Payne, Rains, Seibels, Smith (J), Smith (M), Trammell, Tucker, Waggoner and Wyatt.

—29

AMENDMENT OFFERED

Rep. Dixon offered the following amendment to the bill, H. 71 as amended:

Page 16 line 34 by deleting "its crossing of the railroad tracks of the Seaboard Coastline Railroad and inserting the Perry Hill Road Intersection.

AMENDMENT TABLED

On motion of Rep. Wyatt, the amendment offered by Rep. Dixon to the bill, H. 71 as amended, was tabled.

Yeas 9; Nays 5.

Yeas:

Reps. Clark (G), Dial, Grouby, Holley, Manley, Pegues, Shavers, Shoemaker and Wyatt.

—9

Nays: Reps. Dixon, Holmes, Langford, McKee and Payne.

—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER TABLED

Having voted on the prevailing side, Rep. Crow offered the motion to reconsider the vote by which the amendment offered by Rep. Starkey to the bill, H. 71 as amended, was lost, and on motion of Rep. Clark (G), the motion to reconsider was tabled.

Yeas 60; Nays 40.

Yeas:

Mr. Speaker, Adams (C), Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Daniels, Dial, Edwards, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Hines, Holley, Johnson (R. G.), Kelley, Kennedy, Laird, Letson, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Reed, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Stewart, Stout, Turner, Venable, Ward, Warren, Whatley, Williams and Zoghby.

—60

Nays:

Reps. Albright, Amari, Barton, Bennett, Biddle, Boles, Buskey, Cabaniss, Campbell, Coburn, Crow, Dixon, Drinkard, Escott, Ford, Gafford, Gregg, Hall, Harrison, Higginbotham, Holmes, Horn, Howard, Jackson, Langford, Lewis, McKee, Moore, Nevett, Patton, Payne, Riddick, Seibels, Smith (M), Starkey, Trammell, Tucker, Waggoner, Willis and Wyatt.

—40

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 68. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

Also:

H. 59. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 53. Relating to Covington County; to provide for a pistol permit fee, to provide for the disposition of such fees, and to specifically repeal Act No. 898, H. 1672, Regular Session 1971 (Acts 1971, p. 1662).

Also:

H. 50. Relating to Crenshaw County; amending Sections 1 and 2 of Act No. 775, S. 158 of the 1975 Regular Session (Acts 1975, p. 1563), fixing the issuance fee for pistol permits and providing for the distribution therefor, so as to increase such fee and prescribe that funds generated thereby be deposited in the county general fund.

Also:

H. 48. Relating to Bibb County; authorizing the county board of education to fix an expense allowance for the county superintendent of education in such amount as said board deems appropriate and providing that such expense allowance shall be in lieu of all other expense allowances heretofore provided for said superintendent.

Also:

H. 30. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Also:

H. 29. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Also:

H. 25. Relating to Sumter County; to amend Sections 2, 3, 6 and 7 of Act No. 81-224, H. 140, Regular Session 1981 (Acts 1981, p. 298), relating to reidentification of registered voters, so as to provide further for such reidentification.

Also:

H. 6. To authorize a procedure whereby the Sheriff of Madison County, Alabama is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the Sheriff's Department of Madison County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Madison County, Alabama or by posting in a conspicuous place at the Madison County Courthouse; to provide that the first publication or posting of said notice shall be twenty days before the said auction; to provide a procedure for the conduct of said auction; to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Madison County, Alabama may redeem the same at anytime prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the office of the Sheriff of Madison County, Alabama.

Also:

H. 7. Relating to Madison County; to provide for an additional expense allowance for the members of the jury commission of said county.

Also:

H. 8. To authorize the Limestone County governing body to reimburse any officer or employee of the county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority from the general fund of the county; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this Act and to establish reasonable rules and regulations prescribing the conditions on which payments under this Act shall be made.

Also:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

Also:

H. 35. Relating to Madison County; providing for the county governing body to reimburse the office of license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

McDOWELL LEE,
Secretary.

H. 71 RESUMED

AMENDMENT OFFERED

Rep. Naramore offered the following amendment No. 1 to the bill, H. 71 as amended:

Amend House Bill 71 in Section 8, page 9 on line 31 after the word "that" by striking the words and figures "ten percent (10%)" inserting in lieu thereof the words and figures "fifty million dollars (\$50,000,000)".

Further amend House Bill 71 in Section 8, page 9 on line 37 after the words "excluding the" by striking the figures "10%".

Further amend House Bill 71 in Section 8, page 18 on line 12 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "50,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 13 at the beginning of the line by striking the figures "10%" and inserting in lieu thereof the figures "50,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 17 by striking the figures "30,000,000" and inserting in lieu thereof the figures "50,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 19 by striking the figures "30,000,000" and inserting in lieu thereof the figures "50,000,000".

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Naramore to the bill, H. 71 as amended, was tabled.

Yeas 60; Nays 17.

Yeas:

Mr. Speaker, Adams (C), Albright, Bennett, Biddle, Buskey, Cabaniss, Campbell, Carother, Carter, Clark (G), Cobb, Cooley, Cosby Crow, Daniels, Dial, Dixon, Edwards, Gregg, Grimsley, Grouby, Hall, Harvey, Hines, Holley, Johnson (R. G.), Kelley, Kennedy, Laird, Letson, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Shoemaker, Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—60

Nays:

Reps. Adams (H), Blake, Boles, Brakefield, Drinkard, Ford, Gilmer, Hammett, Howard, Jackson, Naramore, Rains, Seibels, Smith (J), Smith (M), Tucker and Wyatt.

—17

AMENDMENT OFFERED

Rep. Holmes offered the following amendment No. 2 to the bill, H. 71 as amended:

On page 5, line 18, after the period, insert the following language:

The office of the Attorney General shall be solely responsible for the legal execution, issuance and sale of the bonds. No private attorney shall be authorized to be employed by the state to execute the provisions of this Act. Unless such be hired by the Attorney General for legal assistance at the normal hourly rate.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Holmes to the bill, H. 71 as amended, was tabled.

Yeas 49; Nays 30.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Biddle, Cabaniss, Campbell, Cates, Cooley, Cosby, Daniels, Edwards, Goodwin, Gregg, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Kelley, Laird, Letson, McKee, McMillan, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Pegues, Penry, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Ward, Williams and Zoghby.

—49

Nays:

Reps. Blake, Boles, Brakefield, Buskey, Carothers, Carter, Cheatwood, Cobb, Dixon, Escott, Gafford, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kennedy, Langford, Manley, Nevett, Payne, Rains, Riddick, Seibels, Smith (M), Tucker, Warren, Whatley, Willis and Wyatt.

—30

AMENDMENT OFFERED

Rep. Naramore offered the following amendment No. 2 to the bill, H. 71 as amended:

Amend House Bill 71 in Section 8, page 9 on line 31 after the word "that" by striking the words and figures "ten percent (10%)" inserting in lieu thereof the words and figures "forty million dollars (\$40,000,000)".

Further amend House Bill 71 in Section 8, page 9 on line 37 after the words "excluding the" by striking the figures "10%".

Further amend House Bill 71 in Section 8, page 18 on line 12 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "\$40,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 13 at the beginning of the line by striking the figures "10%" and inserting in lieu thereof the figures "\$40,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 17 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "\$40,000,000".

Further amend House Bill 71 in Section 8, page 18 on line 19 by striking the figures "\$30,000,000" and inserting in lieu thereof the figures "40,000,000".

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Naramore to the bill, H. 71 as amended, was tabled.

Yeas 54; Nays 32.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Bennett, Buskey, Cabaniss, Campbell, Carothers, Carter, Clark (G), Cooley, Cosby, Crow, Daniels, Dial, Gregg, Grimsley, Grouby, Harper (T), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Kennedy, Laird, Letson, McKee, McMillan, Manley, Minus, Moore, Owens, Parker, Pegues, Penry, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Starkey, Stewart, Stout, Turner, Ward, Whatley, Williams, Willis and Zoghby.

—54

Nays:

Reps. Adams (H), Albright, Boles, Bowling, Brakefield, Cates, Cheatwood, Drinkard, Escott, Ford, Gafford, Hall, Hammett, Harper (O), Holmes, Howard, Jackson, Langford, Lewis, Mitchell, Naramore, Olive, Patton, Ray, Smith (C), Smith (M), Trammell, Tucker, Venable, Waggoner, Warren and Wyatt.

—32

AMENDMENT OFFERED

Rep. Bowling offered the following amendment to the bill, H. 71 as amended:

On page 1, on line 12, strike the period and insert in lieu thereof:

, and to prohibit certain persons from receiving financial gain from this act and setting criminal penalties for violating said prohibition.

On page 2, on line 18, strike the period and insert in lieu thereof:

, and to prohibit certain persons from receiving financial gain from this act and setting criminal penalties for violating said prohibition.

On page 27, line 29, insert the following new section and renumber subsequent sections accordingly:

Section 22. No elected or appointed official of the state or their relatives by blood or marriage to the 4th degree of kinship or any business partner or law partner of said official shall receive any financial benefits directly or indirectly from the provisions of this act. Provided however, said persons may receive any compensation or expenses provided by this act. Any person who is convicted in the proper court of law of violating this provision shall be guilty of a Class B felony as defined by the Code of Alabama 1975.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Bowling to the bill, H. 71 as amended, was tabled.

Yeas 58; Nays 24.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Biddle, Blake, Cabaniss, Campbell, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Crow, Daniels, Dial, Edwards, Ford, Gilmer, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Laird, Lewis, McKee, McMillan, Manley, Minus, Moore, Owens, Patton, Pegues, Penry, Ray, Reed, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (J), Starkey, Stout, Turner, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—58

Nays:

Reps. Albright, Boles, Bowling Brakefield, Carothers, Cheatwood, Cobb, Escott, Gregg, Grimsley, Hall, Howard, Langford, Letson, Naramore, Olive, Payne, Rains, Seibels, Smith (M), Trammell, Tucker, Williams and Wyatt.

—24

AMENDMENT OFFERED

Rep. Clark (G), offered the following amendment No. 2 to the Bill, H. 71 as amended:

Amend HB 71 Section 8 by inserting the following local projects listing to clarify that these projects which were listed in the original bill also extend into the counties as noted below.

Following line 12 on Page 12 add the following:

Cleburne County

1. Recycling of materials from, and resurfacing of, Quintard Avenue in Anniston between P Street and 22nd Street and widening and resurfacing of U. S. Highway 78 between its intersection with Alabama Highway 21 at Oxford and its intersection with Alabama Highway 9 at Heflin. (This project also listed under Calhoun County.)

Following line 23 on Page 13 add the following:

Etowah County

1. Widening, resurfacing and construction of passing lanes on U. S. Highway 411 between Gadsden and Leesburg. (This project also listed under Cherokee County.)

Following line 7 on page 16 add the following:

Marengo County

1. Grading and draining in connection with the addition of two lanes to the existing two lanes of U.S. Highway 80 from a point five miles east of Demopolis running east for five miles. (This project also listed under Hale County.)

Following line 35 on page 17 add the following to the Talladega County listing:

3. Grading and draining of an additional of two lanes to the existing two lanes of U.S. Highway 280 between Harpersville and Childersburg. (This project also listed under Shelby County.)

AMENDMENT TEMPORARILY POSTPONED

On motion of Rep. Clark (G), the amendment No. 2 offered by him to the bill, H. 71 as amended, was temporarily postponed.

AMENDMENT OFFERED

Rep. Gafford offered the following amendment No. 1 to the bill, H. 71 as amended:

Amend H. B. 71 by inserting the following words after the word "finance" on line 6, page 5, viz: Attorney General, Auditor

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Gafford to the bill, H. 71 as amended, was tabled.

Yeas 52; Nays 28.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Biddle, Cabaniss, Campbell, Clark (G), Clark (W), Cooley, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Ford, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Hines, Holley, Holmes, Johnson (R. G.), Kelley, Letson, McMillan, Owens, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turnham, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—52

Nays:

Reps. Albright, Blake, Boles, Brakefield, Carothers, Cheatwood, Cobb, Coburn, Gafford, Gilmer, Harper (O), Harrison, Howard, Langford, McKee, Manley, Minus, Mitchell, Naramore, Olive, Parker, Payne, Rains, Smith (M), Trammell, Tucker, Williams and Wyatt.

—28

AMENDMENT OFFERED

Rep. Gafford offered the following amendment No. 2 to the bill, H. 71 as amended:

Amend H. B. 71 by deleting the words "or without" in Section 5 on page 7, line 12.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Gafford to the bill, H. 71 as amended, was tabled.

Yeas 48; Nays 39.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Hall, Hammett, Harper (T), Harvey, Holley, Johnson (R. G.), Kelley, Kennedy, McKee, McMillan, Manley, Minus, Mitchell, Moore,

Owens, Pegues, Penry, Roberts, Sandusky, Shavers, Shoemaker, Stewart, Stout, Turner, Waggoner, Ward, Warren, Whatley, Willis and Zoghby.

—48

Nays:

Reps. Albright, Amari, Blake, Boles, Bowling, Buskey, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Escott, Gafford, Gilmer, Goodwin, Grimsley, Harper (O), Hines, Holmes, Horn, Howard, Jackson, Langford, Letson, Lewis, Naramore, Nevett, Olive, Parker, Rains, Ray, Seibels, Smith (C), Smith (M), Trammell, Tucker, Venable, Williams and Wyatt.

—39

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 6. To authorize a procedure whereby the Sheriff of Madison County, Alabama is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the Sheriff's Department of Madison County and stored by said Department but which has been unclaimed after six (6) months; to provide that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Madison County, Alabama or by posting in a conspicuous place at the Madison County Courthouse; to provide that the first publication or posting of said notice shall be twenty days before the said auction; to provide a procedure for the conduct of said auction to provide that the owner of any of the abandoned or stolen property recovered and stored by the Sheriff of Madison County, Alabama may redeem the same at anytime prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the office of the Sheriff of Madison County, Alabama.

Also:

H. 7. Relating to Madison County; to provide for an additional expense allowance for the members of the jury commission of said county.

Also:

H. 8. To authorize the Limestone County governing body to reimburse any officer or employee of the county whose clothing or equipment is damaged or destroyed while he is engaged in the performance of his official duties and is acting within the scope of his authority from the general fund of the county; to provide that a reimbursement hereunder may be less than, but shall not be greater than, the actual cost of replacing or repairing the clothing or equipment which is the subject of the reimbursement; and to empower the governing body of such county to establish procedures for the administration of this Act and to establish reasonable rules and regulations prescribing the conditions on which payments under this Act shall be made.

Also:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

Also:

H. 25. Relating to Sumter County; to amend Sections 2, 3, 6 and 7 of Act No. 81-224, H. 140, Regular Session 1981 (Acts 1981, p. 298), relating to reidentification of registered voters, so as to provide further for such reidentification.

Also:

H. 29. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Also:

H. 30. To alter the boundary lines and corporate limits of the City of Tuscaloosa in Tuscaloosa County, Alabama, so as to remove certain territory from within such limits.

Also:

H. 35. Relating to Madison County; providing for the county governing body to reimburse the office of license commissioner for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

Also:

H. 48. Relating to Bibb County; authorizing the county board of education to fix an expense allowance for the county superintendent of education in such amount as said board deems appropriate and providing that such expense allowance shall be in lieu of all other expense allowances heretofore provided for said superintendent.

Also:

H. 50. Relating to Crenshaw County; amending Sections 1 and 2 of Act No. 775, S. 158 of the 1975 Regular Session (Acts 1975, p. 1563), fixing the issuance fee for pistol permits and providing for the distribution therefor, so as to increase such fee and prescribe that funds generated thereby be deposited in the county general fund.

Also:

H. 53. Relating to Covington County; to provide for a pistol permit fee, to provide for the disposition of such fees, and to specifically repeal Act No. 898, H. 1672, Regular Session 1971 (Acts 1971, p. 1662).

Also:

H. 59. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 68. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 71 RESUMED

AMENDMENT OFFERED

Rep. Gafford offered the following amendment No. 3 to the bill, H. 71 as amended:

Amend H. B. 71 by deleting the following words from Section 7 on page 9, lines 11 through 16, viz;

"provided that if, for any reason, the proceeds of the Bonds and the investment income therefrom available for disbursement from the State Treasury are not at the time sufficient to pay the amounts hereinafter allocated for each of such purposes, the available amount of such proceeds and income shall be allocated in proportion to the amounts hereinafter allocated for each such purpose,"

And insert in lieu thereof the following:

provided, that immediately upon the ratification of this amendment, the Director of the State Highway Department shall complete an estimate of the cost of each road, highway or bridge project enumerated in this amendment and shall certify said cost figure under oath to the State Treasurer, that, it is true to the best of his knowledge, information and belief, and the State Treasurer shall set aside the amount certified, from such proceeds, or if the total of all such projects exceeds the total amount available hereunder, then a pro rata portion of the total, in escrow accounts which shall be expended only upon the project for which it is allocated, until said project is completed, at which time any unexpended balance may be applied to any other project enumerated hereunder; the cost of completing any road, highway or bridge project enumerated in this amendment that is not completed with funds set aside by this amendment shall constitute a first lien upon, and shall be completed with, any funds coming into the State Highway Fund in the State Treasury from any source whatsoever;

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 3 offered by Rep. Gafford to the bill, H. 71 as amended, was tabled.

Yeas 54; Nays 32.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Cabaniss, Campbell, Cates, Clark (G), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Grouby, Hall, Hammett, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Kennedy, Laird, McKee, McMillan, Minus, Mitchell, Moore, Owens, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Stout, Turner, Turnham, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—54

Nays:

Reps. Albright, Bennett, Boles, Bowling, Brakefield, Buskey, Cheatwood, Clark (W), Coburn, Escott, Ford, Gafford, Goodwin, Grimsley, Harper (T), Holmes, Horn, Howard, Jackson, Langford, Letson, Lewis, Manley, Naramore, Nevett, Olive, Parker, Smith (M), Trammell, Tucker, Williams and Wyatt.

—32

AMENDMENT OFFERED

Rep. Harper (T) offered the following amendment No. 1 to the bill, H. 71 as amended:

On page 1, on lines 29 and 30, after the language "Mobile Harbor" insert the following language:

and Bayou La Batre

On page 23, on lines 10, 14, and 15, after the language "Mobile Harbor" insert the following language:

and Bayou La Batre

On page 23, line 18, delete the period and insert the following language:

and in the case of Bayou La Batre, the Bayou La Batre City Council.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Harper (T) to the bill, H. 71 as amended, was tabled.

Yeas 46; Nays 18.

Yeas:

Reps. Adams (C), Bedsole, Bennett, Blake, Cabaniss, Campbell, Cates, Clark (G), Crow, Dial, Dixon, Gilmer, Grimsley, Hall, Hammett, Harvey, Higginbotham, Holmes, Johnson (R. G.), Kennedy, McKee, Manley, Moore, Owens, Parker, Patton, Pegues, Penry, Reed, Roberts, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Zoghby.

—46

Nays:

Reps. Albright, Boles, Bowling, Brakefield, Carothers, Cosby, Drinkard, Ford, Gafford, Harper (T), Hines, Lewis, McMillan, Naramore, Rains, Ray, Williams and Wyatt.

—18

AMENDMENT OFFERED

Rep. Harper (T) offered the following amendment No. 2 to the bill, H. 71 as amended:

On page 20, line 33, after the period, insert the following language:

The distribution of the funds to be received by Mobile County shall be as follows:

(a) Meadowlake Elementary School	\$1,000,000
(b) Theodore High School	\$1,000,000
(c) Castlen Elementary School	\$750,000
(d) Citronelle High School	\$500,000
(e) Mary Montgomery High School	\$500,000
(f) Wilmer Elementary School	\$250,000
(g) Tanner Williams Elementary School	\$250,000
(h) Nan Gray Davis Elementary School	\$250,000
(i) Mary B. Austin School	\$100,000
(j) Mattie T. Blount High School	\$400,000
(k) Trinity Gardens Middle School	\$100,000
(l) Rosa Lott	\$100,000
(m) Williamson High School	\$300,000
(n) LePlore High School	\$500,000
(o) Glendale Elementary School	\$200,000

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Harper (T) to the bill, H. 71 as amended, was tabled.

Yeas 33; Nays 6.

Yeas:

Reps. Adams (C), Barton, Blake, Cheatwood, Daniels, Dial, Dixon, Goodwin, Grimsley, Hall, Harvey, Higginbotham, Holley, Holmes, Kennedy, McKee, McMillan, Minus, Olive, Parker, Patton, Penry, Reed, Roberts, Shavers, Shoemaker, Smith (J), Starkey, Stewart, Stout, Waggoner, Whatley and Zoghby.

—33

Nays: Reps. Bedsole, Buskey, Cosby, Harper (T), Harrison and Turner. —6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Lewis offered the following amendment to the bill, H. 71 as amended:

Amend H. 71 by deleting the figure \$75,000,000 and inserting the figure \$123,000,000 found in Section 9, Page 20, Line 15.

Further amend by deleting the figure \$22,000,000 and inserting the figure \$14,334,000 found in Section 9, Page 20, Line 18, and by deleting the words and Junior Colleges on line 20.

Further amend by inserting on Line 23 (iii) the sum of \$4,666,000 for the payment of costs of capital improvements and related capital equipment for Junior Colleges.

Further amend by renumbering the subsequent subsections of this section.

Further amend by deleting the semi-colon and inserting a period after the word "discretion" found in Section 9, Page 20, Line 27.

Further amend by deleting the language and figures beginning with the word "and" found in Section 9, Page 20, line 27 and ending with the word "discretion" found in Section 9, Page 20, Line 33.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Lewis to the bill, H. 71 as amended, was tabled.

Yeas 47; Nays 40.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gilmer, Grimsley, Grouby, Harrison, Harvey, Higginbotham, Holley, Johnson (R. G.), McKee, McMillan, Manley, Minus, Owens, Parker, Pegues, Penry, Reed, Roberts, Sasser, Shavers, Shoemaker, Stewart, Stout, Turner, Turnham, Venable, Ward, Whatley, Williams, Willis, and Zoghby.

—47

Nays:

Reps. Adams (H), Albright, Bennett, Boles, Bowling, Brakefield, Buskey, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Drinkard, Escott, Ford, Gafford, Goodwin, Hall, Hammett, Hines, Holmes, Horn, Howard, Jackson, Laird, Langford, Lewis, Naramore, Olive, Patton, Payne, Rains, Riddick, Seibels, Starkey, Trammell, Tucker, Waggoner, Warren and Wyatt.

—40

AMENDMENT OFFERED

Rep. Adams (H) offered the following amendment No. 2 to the bill, H. 71 as amended:

On page 20, Section 9, in lines 31 and 32 delete the following:

“technical and vocational schools and institutions of higher education”

MOTION TO TABLE LOST

The motion offered by Rep. Clark (G) to table the amendment No. 2 offered by Rep. Adams (H) to the bill, H. 71 as amended, was lost.

Yeas 38; Nays 50.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bennett, Blake, Boles, Buskey, Clark (G), Cosby, Crow, Goodwin, Harvey, Higginbotham, Holley, Horn, Howard, Kennedy, Manley, Minus, Mitchell, Moore, Owens, Payne, Pegues, Ray, Roberts, Seibels, Shoemaker, Smith (J), Smith (M), Stewart, Stout, Turnham, Waggoner, Whatley, Williams and Willis.

—38

Nays:

Reps. Adams (H), Albright, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (W), Coburn, Cooley, Daniels, Dixon, Edwards, Escott, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harrison, Hines, Holmes, Johnson (R. G.), Kelley, Laird, Langford, Letson, Lewis, McKee, McMillan, Naramore, Olive, Parker, Patton, Penry, Rains, Reed, Shavers, Smith (C), Starkey, Trammell, Turner, Venable, Ward, Warren and Wyatt.

—50

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 6. MOURNING THE DEATH OF MR. MILO BARRETT HOWARD, DIRECTOR OF THE ALABAMA DEPARTMENT OF ARCHIVES AND HISTORY AND A DISTINGUISHED ALABAMIAN.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 7. COMMENDING MR. JIM HOUSTON OF THE COLUMBUS LEDGER-ENQUIRER.

Also:

S. J. R. 8. ACKNOWLEDGING, AND ENCOURAGING THE OBSERVANCE OF NATIONAL VETERANS DAY.

Also:

S. J. R. 11. DESIGNATING A PORTION OF U.S. HIGHWAY 78 "GEORGE LINDSEY HIGHWAY".

Also:

S. J. R. 12. HONORING KIWANIS CLUBS IN ALABAMA.

Also:

S. J. R. 15. NURSING HOME REIMBURSEMENT REGULATION.

Also:

S. J. R. 18. CONGRATULATING MISS SUE A. BELL OF EVERGREEN, ALABAMA, UPON HER APPOINTMENT AS DISTRICT JUDGE IN CONECUH COUNTY.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the Presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

S. 15 RE-REFERRED

No objection being offered, the Speaker re-referred the bill, S. 15, from the Standing Committee on Ways and Means to the Standing Committee on Banking.

H. 71 RESUMED

AMENDMENT INDEFINITELY POSTPONED

The question was again on the amendment No. 2 offered by Rep. Adams (H) to the bill, H. 71 as amended, and on motion of Rep. Clark (G), the amendment No. 2 was indefinitely postponed.

Yeas 56; Nays 38.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Campbell, Carothers, Clark (G), Cosby, Crow, Ford,

Gafford, Goodwin, Gregg, Grouby, Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Johnson (Roy), McMillan, Manley, Minus, Mitchell, Moore, Owens, Patton, Payne, Pegues, Ray, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Stewart, Stout, Trammell, Turnham, Waggoner, Willis and Zoghby.

—56

Nays:

Reps. Adams (H), Brakefield, Cabaniss, Cates, Cheatwood, Clark (W), Coburn, Cooley, Daniels, Dixon, Drinkard, Edwards, Escott, Gilmer, Grimsley, Hall, Harper (O), Horn, Howard, Jackson, Kelley, Laird, Langford, Lewis, McKee, Naramore, Olive, Parker, Penry, Rains, Reed, Starkey, Tucker, Turner, Venable, Ward, Warren, and Wyatt.

—38

AMENDMENT OFFERED

Rep. Albright offered the following amendment No. 2 to the bill, H. 71 as amended:

In Section 8, page 18, delete lines 17 through 29, and insert in lieu thereof the following:

shall be determined by allocating the \$30,000,000 to the counties and cities on a per capita basis based on the ratio of each respective county's or municipality's population bears to the total state population.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Albright to the bill, H. 71 as amended, was tabled.

Yeas 66; Nays 20.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kennedy, Laird, Letson, McMillan, Manley, Minus, Naramore, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Stewart, Stout, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—66

Nays:

Reps. Albright, Boles, Drinkard, Hall, Holmes, Horn, Howard, Jackson, Langford, Lewis, McKee, Moore, Olive, Payne, Seibels, Smith (M), Starkey, Tucker, Waggoner and Wyatt.

—20

AMENDMENT OFFERED

Rep. Gregg offered the following amendment to the bill, H. 71 as amended:

Amend H. B. 71 on page 15, line 36 by deleting the words University Avenue and substituting therefor the words Oakwood Avenue or University Drive.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 48; Nays 0.

Yeas:

Reps. Adams (C), Albright, Barton, Bennett, Blake, Bowling, Brakefield, Campbell, Carothers, Cosby, Daniels, Dixon, Gafford, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holley, Johnson (R. G.), Laird, Letson, McMillan, Minus, Moore, Naramore, Olive, Parker, Patton, Pegues, Penry, Reed, Riddick, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stout, Waggoner, Williams and Willis.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Cooley offered the following amendment to the bill, H. 71 as amended:

On page 4, on line 10 after the word "facility," insert: and school buses

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Barton, Bedsole, Bennett, Blake, Bowling, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Hines, Holley, Johnson (R. G.), Kelley, Laird, Letson, McKee, McMillan, Manley, Minus, Moore, Naramore, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—75

AMENDMENT OFFERED

Rep. Manley offered the following amendment to the bill, H. 71 as amended:

Amend H. B. 71 section 8 by adding the following paragraph on line 10 page 18:

Any other provision of this section notwithstanding, in the event federal discretionary funds become available to the State Highway Department which may be utilized in the funding of any of the foregoing projects set forth in this section, such funds may be so utilized and an amount equal to such funds so utilized, may be used by the State Highway Department from the bond funds provided by this section for funding other highway projects.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Escott, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—84

Nays: Reps. Brakefield and Naramore.

—2

AMENDMENT OFFERED

Rep. Coburn offered the following amendment to the bill, H. 71 as amended:

Amend House Bill 71, Section 8, Page 18, after line 10 by adding the following:

Any project set out in this Section not let for contract within five (5) years from the date of this Act becoming state law shall be repealed and not funded unless by a subsequent act of the Legislature.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Coburn to the bill, H. 71 as amended, was tabled.

Yeas 76; Nays 9.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harrison, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, McMillan, Manley, Minus, Mitchell,

Moore, Nevett, Olive, Owens, Parker, Pegues, Penry, Ray, Reed, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—76

Nays:

Reps. Albright, Coburn, Gafford, Gregg, McKee, Payne, Rains, Seibels and Wyatt.

—9

AMENDMENT OFFERED

Rep. Payne offered the following amendment to the bill, H. 71, as amended:

On page 1, on line 12, delete the figure "\$520,000,000" and insert in lieu thereof:

\$320,000,000

On page 1, on line 21, delete the figure "\$520,000,000" and insert in lieu thereof:

\$320,000,000

On page 1, on lines 36, 37 and on page 2, on lines 5, 6 and 7 delete the following and renumber the remaining items accordingly:

(ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds,

On page 4, on line 33, strike the figure, "\$520,000,000" and insert in lieu thereof:

\$320,000,000

On page 9, on line 27, after the words "Public Roads, Highways and Bridges." insert the following:

It is the legislative intent of this act that all other projects receiving appropriations in this act shall be fully funded by the bond proceeds and the investments earned on said proceeds before the public roads, highways and bridges program set out in this section is funded. The legislature is cognizant of the fact that a portion of the interest accruing from the corpus of the hydrocarbon minerals lease trust fund is being paid into the state general fund. Said accrued interest less the debt service amount, subject to legislative approval on an annual basis, shall be pledged for the public roads, highways and bridges program set out herein, for a period of 5 years subsequent to the effective date of this act. The total amount paid to said road program, including bond proceeds and investments thereon and accrued interest from the trust fund paid into the general fund shall not exceed \$100,000,000. After the 5th year, said accrued interest in the general fund less the debt service shall be expended exclusively for capital improvements as approved by the legislature by legislative act.

On page 9, on line 28, delete the words and figures, "three hundred million dollars (\$300,000,000)" and substitute in lieu thereof the following:

not more than one hundred million dollars (\$100,000,000)

On page 18, on line 12, delete the figure "30,000,000" and insert in lieu thereof:

\$10,000,000

On page 18, on line 17, delete the figure "30,000,000" and insert in lieu thereof:

\$10,000,000

On page 18, on line 19 delete the figure "30,000,000" and insert in lieu thereof:

\$10,000,000

On page 20, on line 12 and 13, delete the figures "one hundred and fifty million dollars (\$150,000,000)" and insert in lieu thereof:

one hundred and fifty-two million dollars (\$152,000,000).

On page 20, on line 18, delete the figure "\$22,000,000" and insert in lieu thereof: \$24,000,000

On page 20, on lines 32 and 33, delete "Alabama Public School and College Authority in the exercise of its" and insert in lieu thereof: (a) Director of the Alabama Commission on Higher Education, (b) the Executive Director of the Alabama Association of School Boards, (c) the Assistant State Superintendent for Junior and Technical Colleges, (d) a designee of the Governor, (e) a designee of the Lieutenant Governor and (f) a designee of the Speaker of the House of Representatives in the exercise of their

On page 24, on lines 10 and 11, delete the words and figures "six million dollars (\$6,000,000)" and insert in lieu thereof: thirteen million dollars (\$13,000,000)

On page 24, delete lines 18 through 37 in their entirety and renumber the remaining sections accordingly.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Payne to the bill, H. 71 as amended, was tabled.

Yeas 61; Nays 19.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Blake, Bowling, Cabaniss, Campbell, Carothers, Clark (G), , Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), , Harper (T), Harvey, Higginbotham, Hines, Holley, Holmes, Johnson (R. G.), Kennedy, Letson, McKee, McMillan, Manley, Minus, Moore, Owens, Pegues, Penry, Ray, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Venable, Warren, Whatley, Williams, Willis and Zoghby.

Nays:

Reps. Boles, Brakefield, Cheatwood, Gafford, Harrison, Horn, Howard, Jackson, Langford, Lewis, Naramore, Olive, Patton, Payne, Rains, Seibels, Tucker, Ward and Wyatt.

—19

AMENDMENT OFFERED

Rep. Payne offered the following amendment No. 2 to the bill, H. 71 as amended:

On page 9, on lines 15 and 16, after the word "be" delete the following language: "allocated in proportion to the stated amounts hereinafter allocated for each such purpose," and insert in lieu thereof: taken from the \$300,000,000 appropriated to the State Highway Department to make up any deficit; provided however, the 10% of said appropriation allocated to the counties shall be exempt from this deficit appropriation,

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Payne to the bill, H. 71 as amended, was tabled.

Yeas 65; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Bedsole, Bennett, Blake, Bowling, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holmes, Johnson (R. G.), Kennedy, Letson, McKee, McMillan, Manley, Minus, Owens, Pegues, Penry, Ray, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—65

Nays:

Reps. Boles, Cheatwood, Escott, Gafford, Langford, Lewis, Naramore, Olive, Patton, Payne, Rains and Wyatt.

—12

AMENDMENT TAKEN UP

The amendment No. 2 previously offered by Rep. Clark (G) to the bill, H. 71 as amended, and which was previously temporarily postponed, was taken up.

SUBSTITUTE AMENDMENT OFFERED

Rep. Clark (G) offered the following substitute amendment to the amendment No. 2 offered by him to the bill, H. 71 as amended:

Amend House Bill No. 71 Section 8 by inserting local project descriptions and amending one local project description to clarify that these projects which were listed in the original bill also extend into the counties noted below:

Following line 12 on Page 12 add the following:

Cleburne County

1. Recycling of materials from, and resurfacing of, Quintard Avenue in Anniston between P Street and 22nd Street and widening and resurfacing of U.S. Highway 78 between its intersection with Alabama Highway 21 at Oxford and its intersection with Alabama Highway 9 at Heflin. (This project also listed under Calhoun County.)

On line 33 on Page 12 after the words "Dale County" add the words "and Coffee County".

On line 35 on Page 12 strike the words "Coffee-Dale County line" and insert in lieu thereof the words "Enterprise bypass in Coffee County" and on line 36 on Page 12 after "Alabama Highway 85" add the words "in Dale County."

Following line 23 on Page 13 add the following:

Etowah County

1. Widening, resurfacing and construction of passing lanes on U.S. Highway 411 between Gadsden and Leesburg. (This project also listed under Cherokee County.)

Following line 7 on Page 16 add the following:

Marengo County

1. Grading and draining in connection with the addition of two lanes to the existing two lanes of U.S. Highway 80 from a point five miles east of Demopolis running east for five miles. (This project also listed under Hale County.)

Following line 35 on Page 17 add the following to the Talladega County listing:

3. Grading and draining of an addition of two lanes to the existing two lanes of U.S. Highway 280 between Harpersville and Childersburg. (This project also listed under Shelby County.)

SUBSTITUTE AMENDMENT ADOPTED

And the substitute amendment offered by Rep. Clark (G) to his amendment No. 2 to the bill, H. 71 as amended, was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Bennett, Blake, Boles, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Johnson (R. G.), Kennedy, Laird, Langford, Letson, McKee, McMillan, Minus, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

AMENDMENT OFFERED

Rep. Drinkard offered the following amendment to the bill, H. 71 as amended:

In Section 9, page 20, line 15, change the sum "\$75,000,000" to:

\$95,000,000

Also on line 28, page 20, change the sum "\$45,000,000" to:

\$25,000,000

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Drinkard to the bill, H. 71 as amended, was tabled.

Yeas 46; Nays 33.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Blake, Cabaniss, Campbell, Carothers, Clark (G), Cosby, Crow, Daniels, Dial, Gilmer, Goodwin, Hammett, Harper (O), Harvey, Hines, Holley, Holmes, McMillan, Manley, Minus, Moore, Olive, Owens, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (M), Starkey, Stewart, Stout, Trammell, Turnham, Venable, Ward, Whatley, Williams and Zoghby.

—46

Nays:

Reps. Albright, Amari, Bedsole, Brakefield, Cates, Clark (W), Coburn, Cooley, Dixon, Drinkard, Escott, Ford, Gafford, Grimsley, Hall, Harper (T), Horn, Jackson, Laird, Langford, Letson, Lewis, McKee, Parker, Patton, Payne, Rains, Smith (C), Smith (J), Tucker, Turner, Warren and Wyatt.

—33

And the bill, H. 71, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Narmore, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Narmore, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—94

Nays: Reps. Albright, Boles, Gafford, Olive, Rains and Wyatt.

—6

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Starkey (With Notice and Proof):

H. 111. To further regulate the sale of alcoholic beverages and the distribution of local municipal alcoholic beverage tax in Lauderdale County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 111, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:25 P.M. on November 11, 1981.

H. 6

H. 7

H. 8

H. 20

H. 25

H. 29

H. 30

H. 35

H. 48

H. 50

H. 53

H. 59

Delivered to the Secretary of State at 4:25 P.M. on November 11, 1981.

H. 68 (Constitutional Amendment)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Clark (G) and pursuant to the resolution, H. R. 28, heretofore adopted, the House adjourned until 10:00 o'clock a.m., Thursday, November 12, 1981.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, November 12, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Robert H. Walkup, Retired Presbyterian Minister, Beauregard, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—99

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

LEAVE OF ABSENCE

At the request of Rep. McMillan, leave of absence was granted for Rep. Hines, due to illness.

At the request of Rep. Roberts, leave of absence was granted for Rep. Carter.

At the request of Rep. Holley, leave of absence was granted for Rep. Johnson (Roy).

MOTION TO SUSPEND RULES

Rep. Holley offered the motion to suspend the rules in order to take up out of order the bill, H. 99.

DIVISION OF THE QUESTION

Rep. Riddick called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Holley to suspend the rules in order to take up out of order the bill, H. 99, and the motion was lost.

Yeas 15; Nays 46.

Yeas:

Reps. Cheatwood, Clark (W), Dixon, Holley, Horn, Howard, Kennedy, Langford, Patton, Penry, Rains, Trammell, Turner, Warren and Wyatt.

—15

Nays:

Mr. Speaker, Adams (C), Amari, Bedsole, Bennett, Biddle, Boles, Cabaniss, Campbell, Cates, Clark (G), Coburn, Cosby, Daniels, Dial, Drinkard, Ford, Goodwin, Hammett, Harper (T), Higginbotham, Holmes, Jackson, Kelley, Lewis, McMillan, Manley, Mitchell, Olive, Owens, Parker, Payne, Pegues, Riddick, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Venable, Waggoner, Whatley and Zoghby.

—46

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDonald:

S. J. R. 23. BE IT RESOLVED BY That the Alabama Legislature both houses concurring that when we adjourn on Thursday, November 12, 1981; we adjourn to meet again on Tuesday, November 17, 1981.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 23, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 29. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Thursday, November 12, 1981, we adjourn to meet again on Tuesday, November 17, 1981, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 29, was adopted.

BILLS ON SECOND READING

Rep. Carothers, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 27. To amend Sections 22-12A-2, 22-12A-3 and 22-12A-6 of the Code of Alabama 1975, relating to the Perinatal Health Act and legislative intent, content and the use of funds generally, so as to further provide therefor and enunciate the legislative intent with respect to educational programs.

S. 18. To state the intent of the Legislature; to amend § 34-24-70 of the Code of Alabama, 1975, to state the qualifications required of applicants by examination or by reciprocity; to distinguish between graduates of colleges of medicine and colleges of osteopathy located in the United States or District of Columbia and other such graduates; to permit receipt of satisfactory evidence showing graduation in lieu of a diploma; to delete the requirement that a graduate of a foreign medical or osteopathic school complete a residency; to delete the requirement that a graduate of a foreign medical or osteopathic school be eligible to take the examination of an approved specialty board; to amend the requirement that a graduate of a foreign medical or osteopathic school be certified by the educational council for foreign medical graduates so that such graduate must only have received a passing grade on the written examination; to require that graduates of foreign medical or osteopathic schools complete at least one year of internship at a hospital approved by the board of medical examiners; to delete the provision of § 34-24-70 that relates to county licenses; to require graduates of foreign medical or osteopathic schools and graduates of medical or osteopathic schools located in the United States or District of Columbia who have not passed a specified written examination within the ten years immediately preceding the date of the application to successfully complete an oral examination; to exempt from such oral examination applicants who have been certified by an approved specialty board or who have passed a recertification examination given by an approved board within the same ten year period; and to provide rule making authority.

Rep. Gafford, Chairman of the Standing Committee on Banking, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 15. To amend section 36-17-3, Code of Alabama 1975, relating to the duties of the state treasurer, so as to further authorize the treasurer to deposit money and securities deposited with the state to be held in the vault of any bank in the state which is insured by the Federal Deposit Insurance Corporation and located in a federal reserve bank city.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 67. To permit the sale, conveyance, lease or other disposition of water systems (or portions thereof) of certain non-profit entities to certain public authorities or corporations without the necessity of any approval or consent of the Public Service Commission.

H. 94. To amend section 11-43-80, Code of Alabama 1975, which section relates to powers, duties, office and salary of mayors and as superintendent of a municipal utility system or systems so as to remove the limitations of salary payable to mayors for services rendered as superintendent of a municipal utility system or systems.

Rep. Warren, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 106. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of County Line, in Blount County.

H. 108. Proposing an amendment to the Constitution of 1901, to repeal Amendment No. 132 of the Constitution of 1901, relating to altering or re-arranging or reducing or abolishing Macon County.

The above bill was read a second time at length as required by the Constitution.

H. 110. Relating to Fayette County; setting fees for pistol permits; providing for disposition of the proceeds from such fees and specifically repealing Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended by Act No. 734, H. 1283, Regular Session 1976 (Acts 1976, p. 1015), and all other laws in conflict herewith.

H. 111. To further regulate the sale of alcoholic beverages and the distribution of local municipal alcoholic beverage tax in Lauderdale County.

S. 51. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

The above bill was read a second time at length as required by the Constitution.

S. 12. Relating to Franklin County; to provide for additional expense allowances for certain officials of said county and to provide for its retroactive effect.

S. 28. Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

S. 29. To repeal Act No. 452, S. 663, approved August 20, 1973, Regular Session 1973 (Acts 1973, p. 639), entitled "An Act Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census."

S. 30. Relating to Etowah County; to provide for deputy district attorneys for the county.

S. 6. To alter, rearrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

Rep. Warren, Vice-Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 31. (With Amendments): Relating to DeKalb County, to provide for an advisory referendum to select one of two methods for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Rains:

H. J. R. 30. REQUESTING THE SERVICE DIVISION OF THE STATE FINANCE DEPARTMENT TO PROVIDE THAT STATE TELEPHONE OPERATORS MAINTAIN A NORMAL WEEKDAY SCHEDULE OF ALL DAYS THAT THE LEGISLATURE IS IN SESSION.

WHEREAS, State telephone operators are on duty from 7:00 a.m. until 11:30 p.m. on weekdays, and from 9:00 a.m. until 5:00 p.m. on weekends and holidays; during these hours the State's WATS line can be made available by an operator to members of the Legislature anywhere in the State; and

WHEREAS, when the Legislature is in session on a holiday, however, as is the case on Veterans Day, 1981, the State's WATS line is unavailable for business use by members of the Legislature during early morning and late evening hours, except from phones located in the Capitol itself or in other state buildings; and

WHEREAS, the pressing affairs of government are such that it is oftentimes necessary for legislators to place business calls outside the nine-till-five holiday hours, thus it is necessary that normal service be available when the House and Senate are in session; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request the Service Division of the State Finance Department to provide that State telephone operators maintain a normal weekday schedule on all days that the Legislature is in session.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to advise State Finance Director Dr. Rex Rainer, by copy of this resolution, of this request of the Legislature.

On motion of Rep. Rains, the rules were suspended and the resolution, H. J. R. 30, was adopted.

Also:

By Rep. Cates:

H. R. 31. NOTING THE DESIGNATION OF NOVEMBER 14, 1981, AS "BILLY BLACKWELL DAY" IN GREENVILLE, ALABAMA.

WHEREAS, the Alabama House of Representatives notes in pleased concurrence the designation of November 14, 1981, as "Billy Blackwell Day" in Greenville, Alabama, in honor of Mr. William Samuel Blackwell, one of that city's most prominent and beloved citizens; and

WHEREAS, "Mr. Billy," as he is widely and affectionately known, is a Bullock County native, who was educated in Blount County and in the Birmingham public schools, and who has been a resident of Greenville since 1902; and

WHEREAS, engaged in business in Greenville for more than 50 years, Mr. Billy was first in the bakery business for a short while, the grocery business for several years, and in the drug business from 1920 until his retirement in 1954 as owner and operator of the Blackwell Drug Company which he founded in 1928; and

WHEREAS, Mr. Billy also has responsibly served the City of Greenville as its Mayor for four years and on the City Council for four years as well; he was the first president of the Greenville Kiwanis Club and was president of the Greenville Baseball Club in the old Alabama-Florida League and South Alabama League; and

WHEREAS, as an active communicant in his parish for 75 years, Mr. Billy was recognized, in 1980, by St. Thomas Episcopal Church for his continuous contributions to the life of St. Thomas where he is Senior Warden, Emeritus; and

WHEREAS, at the age of 99, Mr. Billy, who still drives his 1948 Plymouth, will once again be most deservedly honored by his fellow citizens of Greenville on Billy Blackwell Day; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we join with the City of Greenville, Alabama, in paying tribute to the remarkable William Samuel Blackwell, the distinguished "first citizen" of Greenville and an outstanding Alabamian.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. Billy in token of our sincere praise and warm personal regard.

On motion of Rep. Cates, the rules were suspended and the resolution, H. R. 31, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Cates, Rains, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham,

Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

H. R. 32. COMMENDING MACK SCOTT OF GREENVILLE, ALABAMA, FOR OUTSTANDING COURAGE AND STRENGTH OF SPIRIT.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Clark (W):

H. 112. To propose a constitutional amendment creating a reserve fund to be invested by the state treasurer with the advice and consent of a select committee.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDonald, Robertson, Taylor, Miller, Hall, Britnell and Lemaster:

S. J. R. 22. AGRICULTURAL MARKETING FACILITY.

WHEREAS, agriculture is in an economically depressed state, and

WHEREAS, agriculture must look to new and innovative methods and crops in order to diversify and expand its economic potential; and

WHEREAS, fruits, vegetables, nuts and ornamental horticultural products represent a highly marketable and economically viable alternative to traditional agricultural products and

WHEREAS, fruits, vegetables, nuts and ornamental horticultural would represent a potential for diversifying the agricultural production on Alabama farms and

WHEREAS, the ability to produce these products exist optimally in Alabama and

WHEREAS, the capacity for increased production must rely on the ability to market these products in local and national markets, in an organized fashion; and

WHEREAS, Governor Fob James having recognized the above facts campaigned vigorously and committed his campaign to the fulfillment of the concept of this economic and marketing capability for the farmers and consumers of Alabama.

THEREFORE BE IT RESOLVED, That a feasibility study be conducted under the auspices of the Board of Agriculture & Industries of the state of Alabama to ascertain the full potential for the establishment of a retail and terminal marketing facility for fruits, vegetables, nuts, and ornamental horticulture products centrally located in the state; and

BE IT FURTHER RESOLVED, That the Vice President for Agriculture, Home Economics and Veterinary Medicine of Auburn University be designated as chairman to conduct such study and a report be made to the Governor and to the Legislature by January 1, 1982.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 22, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Miller, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Mitchem, Parsons, Pearson, Proctor, Robertson, St. Joh, Smith, Taylor, Teague, Vacca, Weeks and White.

S. J. R. 21. COMMENDING MR. MARVIN LEWIS OF DOTHAN, ALABAMA, RETIRED COCA-COLA BOTTLING COMPANY OFFICIAL AND PROMINENT WIREGRASS CITIZEN.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Carothers, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 21, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwin, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White.

S. J. R. 20. REQUESTING THAT ALL INTER-COLLEGIATE SPORTING EVENTS OF STATE-SUPPORTED SCHOOLS HELD IN THE STATE OF ALABAMA BE PRECEDED BY PUBLIC PRAYER.

WHEREAS, at inter-collegiate sporting events in the State of Alabama, public prayer has traditionally been offered prior to the opening of games or competition; and

WHEREAS, such opening prayer, however, has recently been omitted on occasions, and such omissions have been noted with disfavor by many spectators in the stands; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request the administrations of all state-supported schools in Alabama to reschedule public prayer during pre-game ceremonies of all inter-collegiate sporting events held in the State of Alabama.

BE IT FURTHER RESOLVED, That all state-supported schools in Alabama be forthwith notified, by copy of this resolution, of the wishes of the Legislature regarding prayer prior to all inter-collegiate sporting events held in this state.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Carothers, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 20, set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING

And the bill:

H. 104. Relating to Conecuh County; legalizing the sale of draft or keg beer or malt beverages; any laws to the contrary notwithstanding; and providing for the levy, collection and distribution of tax on such draft or keg beer or malt beverages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 33; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bennett, Blake, Brakefield, Coburn, Crow, Dial, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Johnson (R. G.), McMillan, Minus, Mitchell, Penry, Seibels, Shavers, Shoemaker, Smith (J), Stewart, Trammell, Venable, Warren, Williams, Willis and Wyatt.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 105. (With Substitute): Relating to Colbert County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; to create a special fund in the county treasury to receive such additional fees and costs of renewal by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created within the probate judge's office of Colbert County a license division which shall issue all licenses issued through the probate judge's office, except marriage licenses. The county commission shall furnish suitable quarters and provide the necessary forms, books, stationery, records, equipment and supplies, except such stationery forms and supplies as are furnished pursuant to law by the state department of finance or the state comptroller. The county commission shall also provide such clerks, and other assistants for said probate judge as shall be necessary from time to time for the proper and efficient performance of the duties of his office. The probate judge shall have authority to employ such clerks, and other assistants, and to fix their compensation; however, the number and compensation of such clerks and other assistants shall be subject to the

approval of the county commission. The compensation of the clerks and assistants shall be paid monthly out of the general fund of the county in the same manner as other county employees are paid.

Section 2. The probate judge shall perform all duties relating to the assessment and collection of taxes on motor vehicles in the county, which have heretofore been performed by the tax assessor and tax collector. The tax assessor and the tax collector of Colbert County are hereby relieved of all duties and responsibilities relative to the assessment and collection of taxes on such motor vehicles. The probate judge shall receive the commissions and fees now allowed the assessor and collector for performing these functions, and such fees and commissions shall be remitted to the county general fund. Reporting and remitting of such tax shall be made at the same time as other reports and remittances are now made by the probate judge.

Section 3. The probate judge shall keep at all times an accurate record of all licenses received by him from the state comptroller and of the disposition made of them, of all monies received, and of the licenses issued by him. He shall report to the state comptroller at the same time and in the same manner that the judges of probate are required to do under the general law. All unissued licenses and the stubs or duplicates or carbon copies of licenses issued shall be accounted for in the same manner that judges of probate are required to account for by law.

Section 4. Except as hereinafter provided, the probate judge shall be entitled to charge and collect the same fees that are provided for by law. For the performance of duties relative to the recording of the transfer of the ownership of motor vehicles as prescribed in the Code of Alabama 1975, said probate judge shall charge and collect a fee of \$1.00. All such fees shall be the property of the county and shall be paid to the general fund of the county. Refunds for licenses issued by mistake or fact of law shall be made under the conditions and in the manner prescribed by the Code of Alabama 1975.

Section 5. To prevent motor vehicles from escaping taxation and to provide for a more efficient procedure for assessment and collection of taxes due on same, no licenses shall be issued to operate motor vehicles on the public highways of this state, nor shall any transfer be made by the probate judge until the ad valorem tax on such vehicles shall have been paid to the county for the preceding year as evidenced by receipt from the said judge. Every person, firm or corporation driving or owning a motor vehicle who desires to operate a motor vehicle on the public highways of Alabama shall first return such motor vehicle for ad valorem taxation purposes to said probate judge who shall issue a certificate of assessment on a form prescribed by the state department of revenue, shall collect the taxes shown thereon, and shall make a duplicate of the tax receipt and keep same on file in his office. The license tag shall be evidence of the payment of the license and ad valorem tax due as provided under this Act.

Section 6. Before any vehicle can be assessed, the probate judge shall be furnished the tag number presently on the vehicle unless such vehicle is new, in which case said probate judge shall be furnished a bona fide bill of sale from the dealer showing when the vehicle was bought new. In the case of a used car brought new into the state from a state which provides that upon sale or transfer of the motor vehicle the tags are either surrendered to an appropriate authority or subsequently reissued by the seller, said probate judge shall be furnished a bona fide certificate of title properly assigned which shows when the car was sold to an individual, firm, corporation or association, living or operating in this state. If such tag number of bill of sale or certificate

of title is not furnished, the vehicle will be presumed to have been in the state the entire year for which taxes are being assessed. Those motor vehicles brought into the state during any tax year and new motor vehicles for which licenses have never been issued that have been sold from the stock of a dealer during any tax year, shall be subject to taxation as if they had been held or owned in the state on the first day of October.

Section 7. The probate judge may, at his discretion, mail an application for renewal of licenses to whom such license has been previously issued, such renewal forms required to be returned prior to the expiration date of the license. Such renewal forms may be in post card form and with sufficient information thereon to adequately identify and process such renewal. The signature of the licensee thereon and proper remittance shall constitute sufficient authority for the probate judge to issue such license and return to the licensee by mail. There is hereby established a fee to be entitled "Mail Order Fee" which shall be set from time to time by the county governing body to pay the cost of the mailing procedure herein provided, and such fee shall be collected by the probate judge at the time of issuance and paid over to the general fund of the county as are other fees and commissions.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are hereby repealed.

Section 10. This act shall become effective January 1, 1982, after its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 35; Nays 0.

Yeas:

Mr. Speaker, Albright, Barton, Bennett, Blake, Brakefield, Cabaniss, Cobb, Coburn, Crow, Edwards, Ford, Gilmer, Goodwin, Grimsley, Hall, Hammett, Higginbotham, Langford, Mitchell, Olive, Seibels, Shavers, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—35

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 105. Relating to Colbert County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient

and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 0.

Yeas:

Mr. Speaker, Barton, Bennett, Brakefield, Cabaniss, Clark (W), Cobb, Coburn, Crow, Gilmer, Goodwin, Grimsley, Hall, Higginbotham, Langford, Mitchell, Moore, Olive, Penry, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Venable, Warren, Williams, Willis, Wyatt and Zoghby.

—35

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, H. 102, was lost, lacking a four-fifths vote.

Yeas 19; Nays 7.

Yeas:

Reps. Amari, Bennett, Biddle, Blake, Boles, Cabaniss, Campbell, Cheatwood, Dial, Gafford, Lewis, McKee, Moore, Olive, Payne, Seibels, Shoemaker, Trammell and Waggoner.

—19

Nays:

Reps. Escott, Harrison, Holmes, Horn, Howard, Jackson and Tucker.

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 75. To propose an amendment to the Constitution of Alabama of 1901 that will authorize the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvement consisting of (i) public roads, highways

and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; that will authorize the refunding of said bonds through the sale and issuance of refunding bonds; that will pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on all bonds issued pursuant to said amendment; and that will provide certain terms and conditions with respect to the sale and issuance of bonds issued pursuant to said amendment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 3.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Cabaniss, Campbell, Cates, Cheatwood, Clark (G), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harrison, Harvey, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Patton, Payne, Pegues, Penry, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—75

Nays: Reps. Olive, Rains and Wyatt.

—3

And the bill:

H. 72. (With Amendments): To propose a self-executing amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its rights in offshore oil, gas and other hydrocarbon minerals, create a board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, and limit the liability of individual members of the board of trustees of such trust fund.

Was taken up.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 72, page 4, line 11, after the semi-colon by deleting the word "and"

Further amend House Bill 72, page 4, line 37, after the word "Capital" by changing the period to a semi-colon and adding the word: and

Further amend House Bill 72, page 4, immediately following line 37 by adding a new item (6) to read as follows:

(6) interest bearing time deposits (whether or not evidenced by certificates of deposit) in savings and loan associations (a) the deposits of which are insured to the maximum extent possible by the Federal Savings and Loan Insurance Corporation or any agency of the United States of America that may succeed to its functions and (b) the principal office of which is located in the State; provided further that the aggregate amount of deposits of the Trust Fund in any one savings and loan association at any time (i) shall not exceed ten percent (10%) of the total Trust Capital and (ii) shall not exceed ten percent (10%) of the net worth of such savings and loan association unless any excess of the amount of deposits over ten percent (10%) of such net worth shall be secured by obligations described in subdivisions (2) and (3) of this definition having at all times a market value (exclusive of accrued interest) at least equal to such excess amount of deposits, including accrued interest thereon.

SUBSTITUTE AMENDMENT OFFERED

Rep. Bennett offered the following substitute amendment to the amendment No. 1 reported by the Standing Committee on Ways and Means to the bill, H. 72:

Amend House Bill 72, page 4, line 11, after the semi-colon by deleting the word and

Further amend House Bill 72, page 4, line 37, after the word "Capital" by changing the period to a semi-colon and adding the word and

Further amend House Bill 72, page 4, immediately following line 37 by adding a new item (6) to read as follows:

(6) interest bearing time deposits (whether or not evidenced by certificates of deposit) in savings and loan associations and credit unions

(a) the deposits of which are insured to the maximum extent possible by the Federal Savings and Loan Insurance Corporation, National Credit Union Administrations, or any agency of the United States of America that may succeed to its functions and (b) the principal office of which is located in the State; provided, further that the aggregate amount of deposits of the Trust Fund in any one savings and loan association or credit union at any time (i) shall not exceed ten percent (10%) of the total Trust Capital and (ii) shall not exceed ten percent (10%) of the net worth of such savings and loan association or credit union unless any excess of the amount of deposits over ten percent (10%) of such net worth shall be secured by obligations described in subdivisions (2) and (3) of this definition having at all times a market value (exclusive of accrued interest) at least equal to such excess amount of deposits, including accrued interest thereon.

SUBSTITUTE AMENDMENT TABLED

On motion of Rep. Cates, the substitute amendment offered by Rep. Bennett was tabled.

Yeas 40; Nays 38.

Yeas:

Mr. Speaker, Adams (C), Albright, Biddle, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cosby, Daniels, Dial, Dixon, Gafford, Grimsley, Hall, Hammett, Holley, Johnson (R. G.), Laird, Letson, McKee, McMillan, Manley, Minus, Mitchell, Patton, Pegues, Penry, Sasser, Shoemaker, Smith (C), Smith (J), Turner, Venable, Ward, Warren, Whatley, Williams and Zoghby.

—40

Nays:

Reps. Adams (H), Amari, Bennett, Blake, Boles, Bowling, Brakefield, Cheatwood, Clark (W), Crow, Drinkard, Escott, Ford, Goodwin, Grouby, Harper (O), Harper (T), Harrison, Holmes, Horn, Howard, Jackson, Kelley, Langford, Lewis, Naramore, Nevett, Owens, Parker, Payne, Rains, Reed, Roberts, Seibels, Starkey, Trammell, Tucker and Wyatt.

—38

The question was again on the adoption of the amendment No. 1 reported by the Standing Committee on Ways and Means to the bill, H. 72, and the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Cates, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Holley, Horn, Jackson, Johnson (R. G.), Kelley, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Patton, Payne, Penry, Rains, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—84

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Ways and Means to the bill, H. 72 as amended, said committee amendment being as follows:

Amend H. B. 72 by adding to the Synopsis, Page 1, Line 13 the following: and established a Legislative Oversight Commission.

Further amend H. B. 72 by adding on Page 21 a new Section 7 as follows and renumbering subsequent Sections.

Section 7. (a) There is hereby created the Alabama Heritage Trust Fund Oversight Commission to consist of the Lieutenant Governor, Speaker of the House, and three members each from the House of Representatives and

Senate, appointed by the Speaker of the House and Lieutenant Governor, respectively. The members so appointed shall serve until their successors are appointed at the next regular session of the legislature following the regular session in which they were elected.

(b) In the event of the death or resignation of any member appointed from the Senate or the House of Representatives his successor shall be appointed from the same body and such successor appointed to the vacancy shall serve for the unexpired term remaining of the member he was appointed to succeed. The original members shall serve until the end of their elected terms. Each subsequent appointment shall be for the full four-year legislative term. A chairman and vice chairman shall be elected from among its members. The commission shall hold an organizational meeting at the state capitol within ten (10) days after the effective date of this act. Thereafter the commission shall meet, from time to time, at the call of the chairman, vice chairman, or upon the request of five or more members, with notice and procedure as prescribed by the rules of the commission.

(c) The commission shall adopt its own rules of procedure and transaction of business, except as otherwise herein provided.

(d) A majority of the members shall constitute a quorum for the purpose of transacting any business or the performance of any authorized duties. Each the ex officio and appointed members shall have voting privileges.

(e) The commission shall monitor investments and supervise the use of any funds appropriated from the Trust Fund.

(f) The commission shall keep full and complete minutes in writing of its proceedings and every action taken shall be by written resolution.

Each legislative member of the commission shall be entitled to his regular legislative compensation, per diem and travel expenses for each day he attends a meeting or conducts business of the commission which shall be paid out of any funds herein appropriated, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman or vice chairman.

SUBSTITUTE AMENDMENT OFFERED

Rep. Clark (G) offered the following substitute amendment to the amendment No. 2 reported by the Standing Committee on Ways and Means to the bill, H. 72 as amended:

Amend the bill in the title thereof, page 1, on line 26 by striking the word "and" after the comma in said line.

Further amend the bill in the title thereof, page 1, on line 27, by replacing the periods with a comma and adding thereafter the following:

"and establish a legislative oversight commission."

Further amend the bill in Section 1, page 2, by adding after the definition of "Board" on line 34, a new definition as follows:

" "Commission" means the "Alabama Heritage Trust Fund Legislative Oversight Commission" created in this amendment."

Further amend the bill by adding on page 21, after Section 7 thereof, a new Section 8 as follows:

"Section 8. Legislative Oversight Commission. (a) There is hereby created the Alabama Heritage Trust Fund Legislative Oversight Commission to consist of the Lieutenant Governor, the Speaker of the House, and three members each from the House of Representatives and the Senate to be appointed by the Speaker of the House and the Lieutenant Governor, respectively. If the Legislature is in regular session at the time this amendment shall become effective, the original members of the Commission shall be appointed at such regular session, and if the Legislature is not in regular session at the time this amendment shall become effective, the members of the Commission shall be appointed at the next regular session of the Legislature. The original members of the Commission shall serve for the remainder of their elected terms of office as members of the Legislature, and the terms of office of members of the Commission shall thereafter correspond to the full four-year terms for which members of the Legislature are elected. If at any time there shall be a vacancy among the appointed members of the Commission, a successor shall be appointed from the same body of the Legislature as that to which the previous incumbent belonged, and such successor shall serve for the remainder of the unexpired term of such previous incumbent.

(b) The Commission shall hold an organizational meeting at the State Capitol within ten (10) days after the appointment of the original members thereof, and shall elect a chairman and vice chairman from among its members. Thereafter, the Commission shall meet, from time to time, at the call of the chairman or vice chairman or upon the request of five or more members, with such notice and in accordance with such procedure as shall be prescribed by the rules of the Commission.

(c) The Commission shall adopt its own rules of procedure for the transaction of business, except as otherwise provided in this amendment. A majority of the members of the Commission shall constitute a quorum for the purpose of transacting any business or performing any authorized duties. All members of the Commission, including both those who serve ex officio and those who are appointed, shall have an equal vote. The Commission shall keep full and complete minutes in writing of its proceedings, and every action taken shall be authorized by duly adopted resolution recorded in such minutes.

(d) Each member of the Commission shall be entitled to his or her regular legislative compensation and per diem and travel expenses for each day he or she attends a meeting or conducts business of the Commission, and such compensation and expenses shall be paid as provided by law out of the funds from time to time appropriated by the Legislature to pay the expenses of administering the Trust Fund.

(e) The Commission shall monitor and evaluate the management of the Trust Fund by the Board, shall report to the Legislature on both the present and future availability of Trust Income for appropriation by the Legislature, and shall recommend to the Legislature the enactment of such laws respecting the Trust Fund as the Commission shall deem desirable; provided, however, that nothing contained in this amendment respecting the Commission shall be construed to authorize the Legislature to enact laws inconsistent with the express provisions of this amendment."

Further amend the bill on page 21, line 16, by striking the number "8" following the word "Section" and inserting in lieu thereof the number "9".

SUBSTITUTE AMENDMENT TO
SUBSTITUTE AMENDMENT OFFERED

Rep. Reed offered the following substitute amendment to the substitute

amendment offered by Rep. Clark (G) to the amendment No. 2 reported by the Standing Committee on Ways and Means to the bill, H. 72 as amended:

Amend the bill in the title thereof, page 1, on line 26 by striking the word "and" after the comma in said line.

Further amend the bill in the title thereof, page 1, on line 27, by replacing the period with a comma and adding thereafter the following:

"and establish a legislative oversight commission."

Further amend the bill in Section 1, page 2, by adding after the definition of "Board" on line 34, a new definition as follows:

" "Commission" means the "Alabama Heritage Trust Fund Legislative Oversight Commission" created in this amendment."

Further amend the bill by adding on page 21, after Section 7 thereof, a new Section 8 as follows:

"Section 8. Legislative Oversight Commission. (a) There is hereby created the Alabama Heritage Trust Fund Legislative Oversight Commission to consist of the Lieutenant Governor, the Speaker of the House, and five members each from the House of Representatives and the Senate to be appointed by the Speaker of the House and the Lieutenant Governor, respectively. If the Legislature is in regular session at the time this amendment shall become effective, the original members of the Commission shall be appointed at such regular session, and if the Legislature is not in regular session at the time this amendment shall become effective, the members of the Commission shall be appointed at the next regular session of the Legislature. The original members of the Commission shall serve for the remainder of their elected terms of office as members of the Legislature, and the terms of office of members of the Commission shall thereafter correspond to the full four-year terms for which members of the Legislature are elected. If at any time there shall be a vacancy among the appointed members of the Commission, a successor shall be appointed from the same body of the Legislature as that to which the previous incumbent belonged, and such successor shall serve for the remainder of the unexpired term of such previous incumbent.

(b) The Commission shall hold an organizational meeting at the State Capitol within ten (10) days after the appointment of the original members thereof, and shall elect a chairman and vice chairman from among its members. Thereafter, the Commission shall meet, from time to time, at the call of the chairman or vice chairman or upon the request of seven or more members, with such notice and in accordance with such procedure as shall be prescribed by the rules of the Commission.

(c) The Commission shall adopt its own rules of procedure for the transaction of business, except as otherwise provided in this amendment. A majority of the members of the Commission shall constitute a quorum for the purpose of transacting any business or performing any authorized duties. All members of the Commission, including both those who serve ex officio and those who are appointed, shall have an equal vote. The Commission shall keep full and complete minutes in writing of its proceedings, and every action taken shall be authorized by duly adopted resolution recorded in such minutes.

(d) Each member of the Commission shall be entitled to his or her regular legislative compensation and per diem and travel expenses for each day he or she attends a meeting or conducts business of the Commission, and such compensation and expenses shall be paid as provided by law out of the funds from time to time appropriated by the Legislature to pay the expenses of administering the Trust Fund.

(e) The Commission shall monitor and evaluate the management of the Trust Fund by the Board, shall report to the Legislature or both the present and future availability of Trust Income for appropriation by the Legislature, and shall recommend to the Legislature the enactment of such laws respecting the Trust Fund as the Commission shall deem desirable; provided, however, that nothing contained in this amendment respecting the Commission shall be construed to authorize the Legislature to enact laws inconsistent with the express provisions of this amendment."

Further amend the bill on page 21, line 16, by striking the number "8" following the word "Section" and inserting in lieu thereof the number "9".

SUBSTITUTE AMENDMENT TO
SUBSTITUTE AMENDMENT ADOPTED

The substitute amendment offered by Rep. Reed to the substitute amendment offered by Rep. Clark (G), was adopted.

Yeas 23; Nays 19.

Yeas:

Reps. Adams (C), Albright, Campbell, Carothers, Clark (W), Cosby, Dial, Dixon, Edwards, Ford, Hall, Harper (T), Holmes, Howard, Laird, Langford, Pegues, Reed, Shoemaker, Turner, Ward, Williams and Wyatt.

—23

Nays:

Reps. Bedsole, Cabaniss, Cates, Daniels, Hammett, Holley, McKee, McMillan, Owens, Penry, Rains, Riddick, Sandusky, Sasser, Smith (C), Smith (M), Starkey, Trammell and Venable.

—19

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment No. 1 to the bill, H. 72 as amended:

Amend the bill in Section 1, page 4, by striking in their entirety lines 12 through 37.

Further amend the bill in Section 1, page 5, by striking lines 35, 36, and 37 in their entirety, and continuing onto page 6, by striking lines 5 through 11, inclusive, in their entirety.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Bennett, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Cates, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harrison,

Higginbotham, Holley, Holmes, Johnson (R. G.), Kennedy, Laird, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Naramore, Olive, Owens, Patton, Pegues, Penry, Rains, Reed, Riddick, Sasser, Seibels, Shoemaker, Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—68

Nay: Rep. Roberts.

—1

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment No. 2 to the bill, H. 72 as amended:

On page 13, at the end of line 33, add the following sentence:

"Any provision of this amendment to the contrary notwithstanding, no Oil and Gas Capital Payment received by the State after November 1, 1981, or any income from the investment thereof, shall, unless subsequently authorized by law, be transferred into the Trust Fund."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bedsole, Bennett, Blake, Bowling, Brakefield, Cabaniss, Campbell, Cates, Cheatwood, Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Gilmer, Goodwin, Grimsley, Grouby, Hall, Harper (O), Harper (T), Higginbotham, Holley, Horn, Jackson, Johnson (R. G.), Kennedy, Laird, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (J), Stewart, Stout, Trammell, Turner, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—66

SUBSTITUTE OFFERED

Rep. Naramore offered the following substitute to the bill, H. 72 as amended:

A BILL TO BE ENTITLED AN ACT

To propose a self-executing amendment to the Constitution of Alabama 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its rights in offshore oil, gas and other hydrocarbon minerals, create a legislative board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, and limit the liability of individual members of the board of trustees of such trust fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed and shall become valid as a part of said Constitution when approved by a majority of the qualified electors voting thereon:

PROPOSED CONSTITUTIONAL AMENDMENT

"Section 1. Creation of Trust Fund. For the continuing benefit of the State of Alabama and the citizens thereof, there is hereby created an irrevocable, permanent trust fund named "The Alabama Heritage Trust Fund" which shall be funded and administered in accordance with the provisions of this amendment.

"Section 2. Definitions. As used in this amendment, the following words and phrases shall have the following respective meanings:

" 'Alabama Housing Finance Authority' means (i) the public corporation and instrumentality of the State organized pursuant to the provisions of Act No. 80-585 enacted at the 1980 Regular Session of the Legislature or (ii) any other public corporation and instrumentality of the State which performs substantially the same functions as said corporation organized pursuant to said Act No. 80-585 and which is declared by the Legislature to be a successor thereto or replacement thereof.

" 'Amortized Premium', when used with reference to any Eligible Investment acquired for a purchase price (exclusive of accrued interest) reflecting a premium above the face or par amount thereof, means an amount determined by first dividing the total dollar amount of the premium at which such investment was purchased by the number of days between the date of purchase and the maturity of such investment (or other date when the principal thereof is contractually required to be paid to the holder thereof) and by then multiplying the quotient so obtained by the number of days between the date of purchase and the date as of which amount is to be determined.

" 'Board' means the Legislative Board of Trustees of the Trust Fund.

" 'Eligible Investments' means any of the following:

"(1) demand deposits (whether or not interest bearing) in Federally Insured Banks, interest bearing time deposits (whether or not evidenced by certificates of deposit) in Federally Insured Banks, and banker's acceptances endorsed and guaranteed by Federally Insured Banks; provided that non-interest bearing deposits shall constitute an Eligible Investment for moneys in the Trust Fund for only so long as sound business practice shall require such moneys to be held in such deposits pending the investment thereof in other Eligible Investments or the disbursement thereof in accordance with the provisions of this amendment; provided further that the aggregate amount of deposits (including both demand and time deposits) of the Trust Fund in any one bank at any time plus the aggregate amount of banker's acceptances of such bank then held by the Trust Fund (i) shall not exceed ten percent (10%) of the total Trust Capital and (ii) shall not exceed ten percent (10%) of the combined capital, surplus and undivided profits of such bank unless any excess of the combined amount of deposits and banker's acceptances over ten percent of such combined capital, surplus and undivided profits shall be secured by obligations described in subdivisions (2) and (3) of this definition having at all times a market value (exclusive of accrued interest) at least equal to such excess amount of deposits and banker's acceptances, including accrued interest thereon;

"(2) bonds, notes or other evidences of indebtedness that are direct obligations of the United States of America or that are unconditionally guaranteed as to both principal and interest by the United States of America;

"(3) bonds, debentures, notes or other evidences of indebtedness issued or guaranteed by any of the following agencies or corporations: Federal Farm Credit Bank, Federal Intermediate Credit Banks, the Export-Import Bank of the United States, Federal Land Banks, the Federal National Mortgage Association, the Tennessee Valley Authority, the Governmental National Mortgage Association, the Federal Financing Bank, the Farmers Home Administration, or any agency or instrumentality of the United States of America which shall be established for the purpose of acquiring the obligations of any of the foregoing or otherwise providing financing therefor;

"(4) repurchase agreements with Federally Insured Banks or with government bond dealers reporting to and trading with the Federal Reserve Bank of New York, provided that such repurchase agreements are secured by obligations described in subdivisions (2) and (3) of this definition; and

"(5) the following general obligations of any Qualified Corporation:

"(i) bonds, debentures, notes or other evidences of indebtedness (excluding commercial paper), whether secured or unsecured, which shall mature or be subject to mandatory redemption not more than twenty-five (25) years after the date of the acquisition thereof by the Trust Fund and which shall be rated not less than one of the two highest ratings given to obligations of that kind by at least one nationally recognized debt rating agency then in existence; provided that the lack of such a rating shall not disqualify an obligation as an Eligible Investment if there is no nationally recognized debt rating agency in existence at the time of the acquisition of such obligation by the Trust Fund; and

"(ii) commercial paper of any Qualified Corporation which shall be rated not less than the highest rating issued by at least one nationally recognized debt rating agency then in existence, and the lack of such a rating shall disqualify an obligation as an Eligible Investment even if such a rating cannot be obtained because no nationally recognized debt service rating agency is then in existence; provided further that the aggregate principal of all obligations of every kind (including commercial paper) of any one Qualified Corporation at any time held by the Trust Fund shall not exceed ten percent (10%) of the total Trust Capital.

" 'Federally Insured Bank' means any bank, whether organized under the laws of the United States of America or the laws of any state thereof, which is a member of the Federal Deposit Insurance Corporation or which obtains deposit insurance to the maximum extent possible from any agency of the United States of America that may succeed to the functions of the Federal Deposit Insurance Corporation.

" 'Fiscal Year' means the fiscal year of the State as may from time to time be provided by law.

" 'Oil and Gas Capital Payment' means any payment (except any royalty or other payment described in the last sentence of this definition) received by the State or any agency or instrumentality thereof as all or part of the consideration for the sale, leasing or other disposition by the State or any agency or instrumentality thereof of any right to explore and drill for or to produce oil, gas or other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area. Any royalty or other payment that is based upon, or determined with respect to, the production of oil, gas or other hydrocarbon minerals and that is paid to the State or any agency or instrumentality thereof in advance of the actual realization of the production upon which it is based or with respect to which it

is determined shall be considered an Oil and Gas Capital Payment irrespective of whether it is to be credited, in whole or in part, against future payments based upon, or determined with respect to, the actual production of oil, gas or other hydrocarbon minerals. No royalty or other payment shall be considered an Oil and Gas Capital Payment if it is based upon, or determined with respect to, the production of oil, gas or other hydrocarbon minerals actually realized at or prior to the time such royalty or other payment is remitted to the State or any agency or instrumentality thereof.

" 'Qualified Corporation' means any corporation, whether organized under the laws of the United States of America or of any state thereof or the laws of any foreign country, which is required to file periodic reports with the Securities and Exchange Commission (or any successor agency of the United States of America) pursuant to Section 13 of the Securities Exchange Act of 1934, as amended, or successor provision of federal law, and which, as of the time of the determination of its status as a Qualified Corporation pursuant to this amendment, has a net worth or shareholders' equity of not less than \$250,000,000 according to the audited financial statements thereof most recently filed with the Securities and Exchange Commission.

" 'State' means the State of Alabama.

" 'Trust Capital' means all assets of the Trust Fund other than Trust Income that is at the time subject to appropriation by the Legislature and has not become part of the Trust Capital.

" 'Trust Fund' means 'The Alabama Heritage Trust Fund' created by this amendment.

" 'Trust Income', when used with reference to any period, means the net income received during such period from the investment and reinvestment of all assets of the Trust Fund, determined in accordance with the provisions of Section 5(c) of this amendment.

" 'Trustee' means a member of the Board of Trustees of the Trust Fund.

Section 3. Management of Trust Fund Vested in Legislative Board of Trustees. (a) The Trust Fund shall be under the management and control of the Legislative Board, hereafter referred to as the 'Board,' and all powers necessary or appropriate for the management and control of the Trust Fund shall be vested solely in the Board. The Board shall have a membership of seven Trustees elected from the House of Representatives and seven Trustees elected from the State Senate. No two House Trustees and no two Senate Trustees shall reside in the same United States Congressional District. The Trustees shall be elected by the entire membership of their respective houses, voting thereon by secret ballot. The service of each such legislative member as a Trustee shall begin and end concurrently with his or her tenure in office.

"(b) If at any time there shall be a vacancy among the elected Trustees, a successor Trustee shall be elected to serve for the unexpired term applicable to such vacancy in the manner hereinabove provided.

"(c) Each Trustee shall, at the time of his or her election and at all times during his or her term of office, be a qualified elector of the State, and a failure by any Trustee to remain so qualified during such term shall cause a vacancy of the office of such Trustee. Each Trustee shall have recognized competence and experience in the evaluation and management of investments. No person holding a full-time office or position of employment with the United States of America, the State, any county or municipality in the State, or any instrumentality, agency or subdivision of any of the foregoing, shall be eligible for

election as a Trustee. Any person who is an elected Trustee shall be deemed to vacate his or her office as such Trustee by the acceptance of any office or employment which, had such person held such office or been so employed at the time of his or her election as a Trustee, would have rendered such person ineligible for service as a Trustee. Service by any person as a member, director, trustee or other participant in the management or administration of any governmental agency, board or commission, or public educational institution, or other public body of the United States of America, the State, or any county or municipality or other political subdivision shall not render such person ineligible for election as a Trustee unless such service constitutes full-time employment. Any Trustee may be impeached and removed from office as a Trustee in the same manner and on the same grounds provided in Section 174 of the Constitution of Alabama of 1901, or successor provision thereof, and the general laws of the State for impeachment and removal of the officers of the State subject to said Section 174 or successor provision thereof.

"(d) Trustees shall be entitled to such compensation for their services as may from time to time be provided by law duly enacted by the Legislature, but the power to provide compensation of Trustees shall be discretionary with the Legislature and nothing in this amendment shall be construed to confer upon such Trustees an absolute right to any compensation for their services. Each Trustee shall be reimbursed for expenses actually incurred in the performance of his or her duties as a Trustee. The Legislature shall provide a principal office and staff for the Board.

"(e) A majority of the Trustees shall constitute a quorum for the transaction of business by the Board, and decisions shall be made on the basis of a majority of the quorum then present and voting, with each Trustee to have a single vote. No vacancy in the membership of the Board or the voluntary disqualification or abstention of any Trustee shall impair the right of a quorum to exercise all of the powers and duties of the Board. The Board shall select annually from among its numbers a chairman of the Board, and the Board may appoint such other officers to perform such duties, not inconsistent with the provisions of this amendment or applicable law, as the Board shall deem necessary or appropriate. In addition to such regular meetings of the Board as may be provided by law or by bylaws or rules duly adopted by the Board, special meetings of the Board may be called by the chairman acting alone or by any three other Trustees acting in concert, in each case upon two days' notice to each Trustee given in person or by registered letter or telegram; provided, however, that such notice to each Trustee may be waived by such Trustee, either before or after the meeting with respect to which such notice would otherwise be required. Any meeting held by the Board for any purpose shall be open to the public, except that executive or secret sessions may be held by the Board when the character or good name of a person is involved. All proceedings of the Board shall be reduced to writing on behalf of the Board and maintained in the permanent records of the Board, a copy of which shall be filed in the principal office of the Board and shall be open for public inspection there during regular business hours.

"(f) No Trustee shall vote on or participate in the discussion or consideration of any matter coming before the Board in which such Trustee, personally or through family connections or business associations, has any direct or indirect pecuniary interest, including, but without limitation thereto, decisions of the Board concerning the investment of moneys constituting part of the Trust Fund in any deposit or obligation of any bank or corporation in which such Trustee may have such an interest. If there shall be brought before the Board any matter in which a Trustee shall have any interest which may conflict with his duties as a Trustee, he or she shall

immediately make a complete disclosure to the Board of such interest and shall thereafter withdraw from participation in any deliberation of the Board with respect to such matter.

"(g) The Board shall have all of the powers necessary to carry out and effectuate the purposes and provisions of this amendment, including, without limiting the generality of the foregoing, the following powers:

"(1) to adopt, alter and repeal bylaws, regulations and rules for the regulation and conduct of its affairs and business;

"(2) to make, enter into and execute contracts, agreements and other instruments and to take such other actions as may be necessary or convenient to accomplish any purpose for which the Trust Fund was created or to exercise any power expressly, or by reasonable implication, granted by this amendment;

"(3) to enter into contracts with, to accept aid and grants from, to cooperate with and to do any and all things that may be necessary in order to avail itself of the aid and cooperation of the United States of America, the State or any agency, instrumentality or political subdivision of either thereof in furtherance of the purposes of this amendment; and

"(4) to appoint, employ and contract with such employees, agents, advisors and consultants, including, but not limited to, attorneys, accountants, financial experts and such other advisors, consultants and agents as may in its judgment be necessary or desirable, and to fix their compensation;

provided, however, that any obligation created or assumed by the Board shall not create any pecuniary obligation or liability of the State or the Trust Fund other than such as shall be payable out of moneys appropriated by the Legislature to defray the expenses of the Board in carrying out the purposes of this amendment. No lien or charge against any assets of the Trust Fund for any purpose whatsoever shall be created by or result from any law enacted by the Legislature or any action taken by the Board or any other department, agency or instrumentality of the State.

"(h) The expenses of making and disposing of investments such as brokerage commissions, legal expenses referable to a particular transaction, transfer taxes and other customary transactional expenses shall, as provided in Section 5(c) of this amendment, be payable from the investment income of the Trust Fund, but no administrative or other expenses not specifically required to make or dispose of a particular investment shall be payable out of any assets of the Trust Fund. The Legislature shall provide for the administrative and other necessary expenses of the Board in the same manner as it provides for the expenses of operating other departments and agencies of the State.

"Section 4. Sources of Trust Capital. (a) There shall be transferred from the general fund of the State into the Trust Fund, as the initial Trust Capital, moneys in an amount equal to the sum of (i) all proceeds of any Oil and Gas Capital Payments received by the State at any time after January 1, 1981, and on or before November 1, 1981, and (ii) all income or profit derived from the investment and reinvestment of the proceeds of such Oil and Gas Capital Payments (including income or profit derived from the investment and reinvestment of previously derived income or profit) prior to the transfer of such proceeds into the Trust Fund, less and except the following:

"(a) any amount of such proceeds, income or profit which has been disbursed by the State, prior to the effective date of this amendment, for the

use of the Board of Corrections pursuant to the provisions of Act No. 81-764 enacted at the 1981 Regular Session of the Legislature;

"(2) any amount of such proceeds, income or profit which has been disbursed by the State, prior to the effective date of this amendment, for the use of the Department of Mental Health pursuant to the provisions of Act No. 81-770 enacted at the 1981 Regular Session of the Legislature;

"(3) any amount of such proceeds, income or profit which has been appropriated by the Legislature, prior to the effective date of this amendment, for the use or benefit of the Alabama Housing Finance Authority and which, as of the effective date of this amendment, is required by any then applicable law to be held apart from the Trust Fund and not included with the moneys to be transferred into such fund as part of the initial Trust Capital;

"(4) any amount of such proceeds, income or profit not exceeding \$6,000,000 which has been appropriated by the Legislature, prior to the effective date of this amendment, for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State; and

"(5) any amount of such proceeds, income or profit not exceeding \$10,000,000 which has been appropriated by the Legislature, prior to the effective date of this amendment, for the support and encouragement of educational, agricultural and industrial activities involving basic and applied scientific research and development.

Promptly following the effective date of this amendment, the State Treasurer shall take all actions necessary to transfer to the Board the possession, control and management of the initial Trust Capital. If at the time of such transfer into the Trust Fund all or part of the initial Trust Capital is invested in certificates of deposit or other investments which cannot be converted into cash prior to the maturity thereof without loss of interest or other penalty, the State Treasurer shall directly transfer such certificates of deposit or other investments to the Board as part of the initial Trust Capital without first converting the same into cash. In the event that any certificates of deposit or other investments shall be transferred into the Trust Fund, the initial Trust Capital shall include only the income or profit from such certificates or deposit or other investments that has been received by the State on or before such transfer or that constitutes accrued interest, amortized discount or other amounts which, in accordance with generally accepted accounting principles, should be considered as having been earned by the State as of the date of such transfer. To the extent that any income or profit derived from such certificates of deposit or other investments is referable to any period after the transfer thereof into the Trust Fund, such income or profit shall constitute Trust Income and shall not constitute part of the Trust Capital (except to the extent otherwise provided by Section 5(a) of this amendment).

"(b) The Trust Capital shall be augmented by any Trust Income which, as provided in Section 5(a) of this amendment, shall have remained in the Trust Fund beyond the end of the Fiscal Year next succeeding the Fiscal Year during which it was received without having been appropriated for any purpose by act of the Legislature. The Trust Capital shall also consist of (i) such other moneys or assets as the Legislature may by law appropriate and transfer to the Trust Fund as a permanent part thereof and (ii) such other moneys or assets as may be contributed to the Trust Fund from any source.

"Section 5. Investment of Moneys in Trust Fund; Appropriation of Trust Income. (a) Except to the extent otherwise provided in Section 6 of this amendment, the Trust Capital shall be held in perpetual trust and shall not be appropriated by the Legislature or expended or disbursed for any purpose other than to acquire Eligible Investments in accordance with the provisions of this amendment. All Eligible Investments acquired, in whole or in part, with moneys constituting part of the Trust Capital shall to the extent of such moneys constitute part of the Trust Capital, but any Trust Income derived therefrom shall be subject to appropriation and withdrawal by the Legislature to the extent provided in this amendment. Until and including the last day of the Fiscal Year next succeeding the Fiscal Year during which any Trust Income shall be received into the Trust Fund, the Legislature may at any time and from time to time, whether before or after the actual receipt of such Trust Income, enact laws appropriating all or any part of such Trust Income for any lawful purpose, and any Trust Income so appropriated may be withdrawn from the Trust Fund at any time after the receipt thereof; provided, however, that the right of the Legislature to appropriate any Trust Income prior to the actual receipt thereof shall not be construed to authorize the recognition and withdrawal of any moneys equivalent to such Trust Income prior to the actual receipt thereof into the Trust Fund. If any Trust Income shall not be appropriated by a law which becomes effective on or before the last day of the Fiscal Year next succeeding that during which it was received, such Trust Income shall thereafter cease to be subject to appropriation and shall become part of the Trust Capital to be held in the Trust Fund on the same terms and conditions as are applicable to all other assets constituting the Trust Capital. Any Trust Income appropriated by a law becoming effective on or before the last day of the Fiscal Year next succeeding that during which it was received shall remain Trust Income even though it is permitted to remain in the Trust Fund after the end of such Fiscal Year, and any such Trust Income shall be subject to withdrawal from the Trust Fund at any time thereafter in the manner provided by law for the purposes for which it shall theretofore have been appropriated.

"(b) To the extent practicable, the Board shall keep all moneys at any time held in the Trust Fund (including both Trust Capital and Trust Income) invested in such Eligible Investments as shall, in its sole and uncontrolled judgment, produce the greatest Trust Income over the term of such investments while preserving the Trust Capital. In making any investment of moneys held in the Trust Fund, the Board shall exercise the judgment and care, under the circumstances prevailing at the time of such investment, which an institutional investor of the highest standard of prudence, intelligence and financial expertise would exercise in the management and investment of large assets entrusted to it not for the purpose of speculative profit but for the permanent generation and disposition of funds, considering the probable safety of capital as well as the expected amount and frequency of income. The Board shall have full power and authority to select the Eligible Investments in which moneys held in the Trust Fund shall at any time be invested, and, to the extent not inconsistent with any express provision of this amendment, the Eligible Investments so selected shall be acquired from such issuers, underwriters, brokers or other sellers on such terms and conditions, shall be acquired for purchase prices reflecting such discount below or premium above the par or face amount thereof, shall bear such dates and be in such form, denominations and series, shall mature or be subject to mandatory redemption on such dates, shall bear interest at such rate or rates payable at such intervals or, alternatively, shall provide income to the holder thereof in such other manner (including, without limitation thereto, the purchase of such investments at a discount which represents all or part of the

income or profit to be derived therefrom), shall be unsecured or secured in such manner, shall contain such provisions for prepayment or redemption at the option of the issuer or obligor, and shall contain or be subject to such other provisions as shall, in all of the foregoing respects, be determined by the Board in the exercise of its sole and uncontrolled judgment. The Board shall have full power and authority to invest the Trust Capital in long-term investments producing Trust Income in accordance with such schedule as the Board shall, in the exercise of its sole and uncontrolled judgment, determine to be in the best interests of the State, and in determining such schedule the Board may emphasize future benefits in preference to near-term needs. The Board shall have complete and uncontrolled discretion in making decisions as to when moneys in the Trust Fund shall be invested, as to the purchase price or other acquisition cost to be paid or incurred in acquiring investments for the Trust Fund, as to when investments constituting part of the Trust Fund shall be sold, liquidated or otherwise disposed of, and, notwithstanding the provisions of Section 100 of the Constitution of Alabama of 1901, as to the amount and nature of the price or other consideration to be received by the Trust Fund upon the sale, liquidation or other disposition of investments constituting part of the Trust Fund; provided, however, that to the extent the provisions of this amendment authorize the withdrawal of moneys from the Trust Fund (including both Trust Capital and Trust Income) pursuant to appropriation by the Legislature, the Board shall invest the moneys so subject to withdrawal in investments which shall mature or otherwise be subject to liquidation on such terms as will provide cash when required for withdrawal from the Trust Fund. No law shall be enacted nor any action taken by the executive department of the State which impairs or interferes with the power, authority and discretion conferred upon the Board by this amendment with respect to the acquisition, management, control and disposition of investments at any time constituting part of the Trust Fund.

“(c) The Trust Income for any period shall be the next income (determined as hereinafter provided) actually received in cash or cash equivalents during such period from the investment and reinvestment of all moneys held in the Trust Fund (including both moneys representing Trust Capital and moneys representing previously received Trust Income that has not become part of the Trust Capital). No accrual or other accounting calculation or classification shall constitute the basis for recognizing Trust Income unless the moneys in question shall have been actually received and paid into the Trust Fund. The Trust Income for any period shall consist of the aggregate interest received from investments during such period plus any profit realized during such period from any payment, sale, liquidation or other disposition of investments resulting in the receipt of an amount greater than the purchase thereof, less (i) any negative audit adjustments to income and any losses with respect to investments which are required to be charged against the income of the Trust Fund for such period pursuant to the provisions of subsection (d) of this section, (ii) any accrued interest paid as part of the purchase price of investments acquired during such period, and (iii) all expenses of selling and disposing of investments during such period such as brokerage commissions, legal expenses referable to a particular transaction, transfer taxes and other customary transactional expenses. For purposes of determining the amount of the Trust Capital at any time held in the Trust Fund, any investment acquired for a purchase price reflecting a discount below its face or par amount shall, at all times prior to its payment, sale, liquidation or other disposition, be valued at its original purchase price. If any investment is acquired for a purchase price reflecting a premium above its face or par amount, then, for purposes of calculating—Trust Income, the cumulative interest or other income theretofore received from such invest-

ment as of any time shall be reduced by the then applicable Amortized Premium of such investment. For purposes of determining the amount of Trust Capital at any time held in the Trust Fund, any investment acquired for a purchase price reflecting a premium above its face or par amount shall, at all times prior to its payment, sale, liquidation or other disposition, be valued at its original purchase price less its then applicable Amortized Premium.

"(d) The Trust Income shall be adjusted in accordance with the succeeding provisions of this subsection if the application of generally accepted accounting principles in connection with the annual audit of the Trust Fund requires any negative adjustment of income, including the recognition of any reduction in value or write off of investments for reasons relating to the probability of their payment or collectibility, or if any loss is realized upon any payment, sale, liquidation or other disposition of any investment resulting in the receipt of any amount less than the value thereof determined in accordance with the provisions of this amendment; provided, however, that no reduction in value of any investment shall be made because the rate of interest or other yield thereon has fallen below the market rates then applicable to comparable investments. Any audit adjustment resulting in a charge against income or any loss realized from the payment, sale, liquidation or other disposition of investments, as the case may be, shall be charged first against any Trust Income which, as of the time such adjustment is made or such loss is realized, has accumulated in the Trust Fund and is then available for withdrawal, whether or not theretofore appropriated, and if the amount to be so charged is greater than the amount of accumulated Trust Income subject to withdrawal, such amount shall be charged against Trust Income thereafter received in the current and succeeding Fiscal Years until the full amount of such audit adjustment or loss, as the case may be, has been recovered or made good out of the investment income of the Trust Fund, and from and after the time that such audit adjustment is made or such loss is realized, as the case may be, no income of the Trust Fund shall be considered Trust Income for purposes of this amendment until the full amount of such adjustment or loss shall have been so recovered or made good. In the event that, as a result of any audit adjustment or any realized loss, the aggregate amount of income appropriated and withdrawn from the Trust Fund as of any time during or at the end of any Fiscal Year exceeds the aggregate Trust Income which, taking into account such adjustment or loss, should have been available for withdrawal at or before such time, then, and in such event, the excess amount so withdrawn need not be returned to the Trust Fund from the general fund of the State or from any other source of funds available to the State, but the amount of such excess withdrawal shall be recovered through charges against future income of the Trust Fund as above provided.

"(e) To the extent appropriate and not at the time prohibited by law, the Board shall use the facilities of the State Treasurer in the administration of the Trust Fund, including, but without limitation thereto, the keeping of records, the management of bank accounts, the transfer of funds and the safekeeping of securities evidencing investments.

"(f) The Board shall cause an annual audit of the Trust Fund to be performed for each Fiscal Year by the State Auditor or, in the discretion of the Board, by an independent accounting firm and shall cause a report of such audit to be prepared in accordance with applicable accounting principles and made public within ninety (90) days following the end of the Fiscal Year covered thereby. The Board shall cause to be prepared and publicized such financial and other information concerning the Trust Fund as may from time to time be provided by law duly enacted by the Legislature, but in the absence of any law directing the preparation and publication of different reports, the

Board shall cause to be prepared and made public, within thirty (30) days after the end of each quarterly period in each Fiscal Year, a report containing (i) a statement of the Trust Capital then held in the Trust Fund showing any changes thereto since the last quarterly report, (ii) a statement of the Trust Income then held in the Trust Fund showing receipts and withdrawals therefrom during the quarterly period in question and further showing the portion thereof previously appropriated and the portion thereof subject to appropriation but not then appropriated, (iii) a statement of the investments then held in the Trust Fund including descriptions thereof and the respective values thereof, (iv) a statement of the Trust Income received to date during the current Fiscal Year, (v) if such report covers the first, second or third quarterly period, an estimate of the Trust Income anticipated for the entire current Fiscal Year and for each of the remaining quarterly periods thereof, and (vi) an estimate of the Trust Income anticipated for the next succeeding Fiscal Year and in each of the quarterly periods thereof.

"Section 6. Alternative Disposition of Certain Trust Fund Moneys. (a) By any duly enacted law or laws, whether becoming effective before or after the effective date of this amendment, the Legislature may appropriate moneys constituting Trust Capital or Trust Income or a combination of both for the use or benefit of the Alabama Housing Finance Authority in such aggregate amount as, when added to any amount excluded from the initial Trust Capital pursuant to clause (3) of the first sentence of Section 4 of this amendment, shall not exceed the sum of \$19,500,000. All or any part of the moneys so appropriated may be held in the Trust Fund until disbursed for the purpose for which appropriated, or all or any part of such moneys may be immediately withdrawn from the Trust Fund and transferred to the Alabama Housing Finance Authority for the use thereof or, alternatively, transferred to the State and held by it until used to pay expenses for and on behalf of such authority, all in accordance with such law or laws as may from time to time be enacted by the Legislature.

"(b) In order to provide an alternative source for the moneys appropriated for the use of the Board of Corrections pursuant to the provisions of Act No. 81-764 enacted at the 1981 Regular Session of the Legislature, the Legislature may, by any duly enacted law or laws, whether becoming effective before or after the effective date of this amendment, appropriate moneys constituting Trust Capital or Trust Income or a combination of both for the use of the Board of Corrections in making capital expenditures; provided, however, that the aggregate amount so appropriated for the use of the Board of Corrections and withdrawn from the Trust Fund shall not exceed an amount computed as the difference between \$45,000,000 and the sum of (i) the amount excluded from the initial Trust Capital pursuant to clause (1) of the first sentence of Section 4 of this amendment and (ii) all other amounts at any time appropriated by the Legislature from the proceeds of bonds of the State or other sources for the use of the Board of Corrections in substitution for or replacement of all or any part of the moneys appropriated pursuant to said Act No. 81-764.

"(c) In order to provide an alternative source for the moneys appropriated for the use of the Department of Mental Health pursuant to the provisions of Act No. 81-770 enacted at the 1981 Regular Session of the Legislature, the Legislature may, by any duly enacted law or laws, whether or not becoming effective before or after the effective date of this amendment, appropriate moneys constituting Trust Capital or Trust Income or a combination of both for the use of the Department of Mental Health in making capital expenditures; provided, however, that the aggregate amount so appropriated for the use of the Department of Mental Health and withdrawn

from the Trust Fund shall not exceed an amount computed as the difference between \$65,000,000 and the sum of (i) the amount excluded from the initial Trust Capital pursuant to clause (2) of the first sentence of Section 4 of this amendment and (ii) all other amounts at any time appropriated by the Legislature from the proceeds bonds of the State or other sources for the use of the Department of Mental Health in substitution for or replacement of all or any part of the moneys appropriated pursuant to said Act No. 81-770.

"Section 7. Limitation of Personal Liability of Trustees. An individual Trustee shall not in any way be personally liable for any liability, loss or expense suffered by the Trust Fund unless such liability, loss or expense arises out of or results from the willful misconduct or wrongdoing of such Trustee.

"Section 8. Amendment Self-Executing. This amendment shall be self-executing, but the Legislature shall have the right and power to enact laws supplemental to this amendment and in furtherance of the purposes and objectives thereof, provided that such laws are not inconsistent with the express provisions of this amendment."

Section 2. Election Ordered. An election upon the proposed amendment is ordered to be held either on the same date as the first statewide primary of general election held at least three months following final adjournment of the current legislative session, or on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature, whichever date is sooner. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901 and Chapter 17 of Title 17 of the Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published in a newspaper in each county in the State once a week for four successive weeks next preceding the day herein appointed for the election. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse in such county.

SUBSTITUTE TABLED

On motion of Rep. Clark (G), the substitute offered by Rep. Naramore to the bill, H. 72 as amended, was tabled.

Yeas 57; Nays 25.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Blake, Bowling, Cabaniss, Campbell, Carothers, Cates, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Grouby, Hall, Hammett, Harper (T), Higginbotham, Holley, Holmes, Jackson, Johnson (R. G.), Kelley, Kennedy, McMillan, Manley, Minus, Moore, Owens, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (J), Starkey, Stewart, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis and Zoghby.

—57

Nays:

Reps. Albright, Boles, Brakefield, Cheatwood, Coburn, Escott, Gafford, Gilmer, Grimsley, Harper (O), Harrison, Horn, Howard, Laird, Langford,

Letson, McKee, Naramore, Olive, Parker, Rains, Seibels, Trammell, Tucker and Wyatt.

—25

AMENDMENT OFFERED

Rep. Payne offered the following amendment to the bill, H. 72 as amended:

On page 6, Section 3, in line 33 delete the word "seven" and in line 36 after the word "Governor," delete the remainder of line 36 and in line 37 delete the words "appointed by the Speaker of the House of Representatives" and insert in lieu thereof the following: and seven trustees from among the membership of each the House of Representatives and the Senate elected one from each congressional district by the respective bodies by secret ballot.

On page 7 in line 13 delete "the Trustee to be appointed by the" and delete in their entirety lines 14 through 23 and insert in lieu thereof the following:

the elected Trustees shall serve for their respective terms of office.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment offered by Rep. Payne to the bill, H. 72 as amended, was tabled.

Yeas 57; Nays 28.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Blake, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Ford, Goodwin, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Jackson, Johnson (R. G.), Kelley, Kennedy, Letson, McMillan, Minus, Moore, Owens, Patton, Pegues, Penry, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—57

Nays:

Reps. Albright, Boles, Brakefield, Cheatwood, Clark (W), Coburn, Dixon, Escott, Gafford, Gilmer, Grimsley, Harrison, Horn, Howard, Laird, Langford, Lewis, McKee, Manley, Naramore, Olive, Parker, Rains, Riddick, Seibels, Trammell, Tucker and Wyatt.

—28

MOTION TO RECONSIDER LOST

Having voted on the prevailing side, Rep. Gafford offered the motion to reconsider the vote by which the substitute amendment offered by Rep. Bennett to the amendment No. 1 reported by the Standing Committee on Ways and Means to the bill, H. 72, was tabled, and the motion to reconsider was lost.

Yeas 33; Nays 41.

Yeas:

Reps. Albright, Amari, Bennett, Blake, Boles, Brakefield, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Crow, Drinkard, Escott, Ford, Gafford, Goodwin, Grouby, Harper (T), Harrison, Horn, Howard, Jackson, Letson, Lewis, Manley, Naramore, Parker, Payne, Rains, Seibels, Trammell and Tucker.

—33

Nays:

Mr. Speaker, Adams (C), Bedsole, Cabaniss, Campbell, Carothers, Cates, Daniels, Dial, Dixon, Gilmer, Grimsley, Hall, Hammett, Holley, Kennedy, Laird, McKee, McMillan, Minus, Patton, Pegues, Penry, Ray, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—41

AMENDMENT OFFERED

Rep. Gafford offered the following amendment No. 1 to the bill, H. 72 as amended:

Amend H. B. 72 by deleting the word "willful" where it appears in Section 7, on line 14, page 21.

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 1 offered by Rep. Gafford to the bill, H. 72 as amended, was tabled.

Yeas 54; Nays 21.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Bedsole, Blake, Boles, Cabaniss, Campbell, Cates, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Ford, Grouby, Hall, Hammett, Harper (O), Harper (T), Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, McMillan, Manley, Minus, Moore, Owens, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Stewart, Stout, Ward, Warren, Whatley, Willis and Zoghby.

—54

Nays:

Reps. Bowling, Brakefield, Carothers, Cheatwood, Coburn, Escott, Gafford, Harrison, Howard, Jackson, Langford, Naramore, Olive, Parker, Payne, Rains, Seibels, Trammell, Tucker, Williams and Wyatt.

—21

AMENDMENT OFFERED

Rep. Gafford offered the following amendment No. 2 to the bill, H. 72 as amended:

Amend H. B. 72 by deleting the word "seven" on line 33, page 6, and inserting in lieu thereof: eight

Further amend said H. B. 72 by adding the following words to the end of line 33, page 6, after the words "State Treasurer," viz:

State Auditor, Attorney General,

Further amend said H. B. 72 by deleting the word "two" on line 35, page 6, and inserting in lieu thereof the word, viz: one

Further amend H. B. 72 by adding the following words to line 5, page 7, after the words "State Treasurer", viz:

State Auditor, Attorney General

Further amend H. B. 72 by adding the following words after the words "State Treasurer" where they appear on lines 18, 23 and 25 of page 9, viz:

State Auditor, Attorney General

AMENDMENT TABLED

On motion of Rep. Clark (G), the amendment No. 2 offered by Rep. Gafford to the bill, H. 72 as amended, was tabled.

Yeas 57; Nays 26.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Blake, Cabaniss, Campbell, Cates, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Grouby, Hall, Hammett, Harper (T), Harrison, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, McMillan, Manley, Minus, Moore, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—57

Nays:

Reps. Albright, Boles, Bowling, Brakefield, Carothers, Cheatwood, Coburn, Escott, Gafford, Gilmer, Howard, Jackson, Langford, Letson, McKee, Naramore, Olive, Payne, Rains, Seibels, Trammell, Tucker, Turnham, Waggoner, Williams and Wyatt.

—26

SUBSTITUTE OFFERED

Rep. Venable offered the following substitute to the bill, H. 72 as amended:

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, composed of certain moneys derived by the State from the sale or lease of its rights in oil, gas and other hydrocarbon minerals, and direct the

legislature to create a board of trustees to manage such trust fund and prescribe the powers and limit the liability thereof, provide for the investment of the fund, and the appropriation by the Legislature of the income from the fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed and shall become valid as a part of said Constitution when approved by a majority of the qualified electors voting thereon:

CONSTITUTIONAL AMENDMENT

"Section 1. There is hereby created an irrevocable, permanent trust fund named "The Alabama Heritage Trust Fund" which shall be funded from moneys derived by the State from the sale or lease of oil, gas and other hydrocarbon minerals owned by the State.

"Section 2. There shall be transferred from the general fund of the State into the fund, the sum of \$460,000,000. payable in cash or invested securities, and such other moneys or assets as the Legislature may from time to time by law appropriate and transfer to the fund as a permanent part thereof, and such other assets as may be contributed to the fund from any source.

"Section 3. The capital of the fund shall be held in perpetual trust and shall not be appropriated by the Legislature or expended or disbursed for any purpose other than investment or reinvestment. All income of the trust, as defined by the legislature, shall be subject to appropriation and withdrawal by the legislature.

"Section 4. The fund shall be under the management and control of a Board of Trustees, and all powers necessary or appropriate for the management and control of the fund shall be vested solely in the board. The board shall have a membership of seven Trustees consisting of the Governor, the State Treasurer, the Director of Finance (or such other official as may by law succeed to the responsibilities of the Director of Finance), two Trustees appointed by the Governor, one Trustee appointed by the Lieutenant Governor, and one Trustee appointed by the Speaker of the House of Representatives. The Governor, the State Treasurer and the Director of Finance shall each serve as a Trustee ex officio, and the service of each as a Trustee shall begin and end concurrently with the beginning and end of tenure in such office. The other Trustees shall be appointed for such terms as the legislature shall prescribe. No trustee shall in any way be personally liable for any liability, loss or expense suffered by the fund unless such liability, loss or expense arises out of or results from the willful misconduct or wrongdoing of such trustee.

"Section 5. The legislature shall provide by law the procedures and standards for carrying out the provisions of this amendment.

(END OF CONSTITUTIONAL AMENDMENT)

Section 2. Election Ordered. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901 and Chapter 17 of Title 17 of the Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published in a newspaper in each county in the State once a week for four successive weeks next preceding the day herein appointed for the election. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse in such county.

MOTION TO TABLE LOST

The motion offered by Rep. Clark (G) to table the substitute offered by Rep. Venable to the bill H. 72 as amended, was lost.

Yeas 39; Nays 50.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Cabaniss, Campbell, Cates, Clark (G), Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Grouby, Hall, Holmes, Johnson (R. G.), Letson, McMillan, Manley, Minus, Moore, Owens, Patton, Pegues, Penry, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (J), Stewart, Stout, Turner, Ward, Warren and Zoghby.

—39

Nays:

Reps. Adams (H), Albright, Amari, Biddle, Blake, Boles, Bowling, Brakefield, Carothers, Cheatwood, Clark (W), Coburn, Dixon, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Hammett, Harper (O), Harper (T), Harrison, Holley, Horn, Howard, Jackson, Laird, Langford, Lewis, McKee, Naramore, Olive, Parker, Payne, Rains, Ray, Seibels, Smith (C), Smith (M), Starkey, Trammell, Tucker, Turnham, Venable, Waggoner, Whatley, Williams, Willis and Wyatt.

—50

SUBSTITUTE INDEFINITELY POSTPONED

The question was then on the substitute offered by Rep. Venable to the bill, H. 72 as amended, and on motion of Rep. Clark (G), the substitute was indefinitely postponed.

Yeas 62; Nays 28.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Biddle, Blake, Cabaniss, Campbell, Cates, Clark (G), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, Letson, McMillan, Manley, Minus, Mitchell, Moore, Owens, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Turnham, Ward, Warren, Williams and Zoghby.

—62

Nays:

Reps. Albright, Boles, Brakefield, Buskey, Cheatwood, Clark (W), Coburn, Escott, Gafford, Harrison, Horn, Howard, Jackson, Langford, Lewis, McKee,

Naramore, Olive, Parker, Payne, Rains, Seibels, Smith (M), Trammell, Tucker, Venable, Willis and Wyatt.

—28

And the bill:

H. 72. To propose a self-executing amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its rights in offshore oil, gas and other hydrocarbon minerals, create a board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, limit the liability of individual members of the board of trustees of such trust fund, and establish a legislative oversight commission.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 13.

Yeas:

Mr. Speaker, Adams (C, Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Cabaniss, Campbell, Carothers, Cates, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Payne, Pegues, Penry, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—77

Nays:

Reps. Albright, Boles, Brakefield, Escott, Gafford, Horn, Howard, Naramore, Olive, Rains, Trammell, Tucker and Wyatt.

—13

RESOLUTIONS

The following resolutions were introduced:

By Rep. Gafford:

H. R. 33. POINTING OUT THAT THE PORK IN THE PORK BARREL BILLS NOW PENDING BEFORE THE LEGISLATURE IS "TAINTED."

WHEREAS, it has come to the attention of the House that the pork in the current package of pork barrel bills now pending in the Legislature, even though in a very attractive package is not quite "right"; and

WHEREAS, many members of the Legislature have expressed doubt about voting on the package but have committed themselves to vote for it; and

WHEREAS, the House would like to go on record as stating that they know this is probably one of the greatest series of pork barrel bills and rip-offs ever introduced before a Legislative body since the state came into existence in 1819; and

WHEREAS, the cost to future generations of the maintenance and upkeep on the pork barrel projects that will be constructed with this bond money will be astronomical; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That a majority of the members wish to go on record as regaining their posture as great statesmen, which they inherently are, therefore they do declare that we will henceforth reject the balance of the bills in this beautiful, but tainted, pork barrel package and we do call upon our colleagues in the body across the hall to do the same when they vote upon the tainted pork barrel bills that have already greased their way through this body.

The resolution, H. R. 33, was read and referred to the Standing Committee on Rules.

Also:

By Reps. Lewis and Howard:

H. J. R. 34. CONGRATULATING THE BESSEMER JESS LANIER HIGH SCHOOL CHEERLEADERS UPON THEIR FIRST PLACE STATE AWARD BY THE NATIONAL FEDERATION OF AMERICAN CHEERLEADERS.

WHEREAS, in congratulatory praise the Alabama Legislature notes the recent first place award won by Bessemer's Jess Lanier High School in competition sponsored by the National Federation of American Cheerleaders; and

WHEREAS, designated "first" in the entire State of Alabama were co-head cheerleaders Angie Mason and Lynn Blanks along with the other Jess Lanier team members Kathy Carter, Lynn Thorton, Stacey Edwards, Tonia Rogers, Stephanie Tucker, Laurie Lewis, Leigh Summerville, Thea Templeton, Andrea Pender and Erica Conley; and

WHEREAS, also, capturing individual NAFC awards for Jess Lanier High were Angie Mason for "Most Outstanding," Laurie Lewis as "Most Dedicated," and Andrea Pender who was named "Most Promising" cheerleader; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate and warmly praise the Jess Lanier High School Cheerleaders on their NFAC First Place Award and on the awards individually bestowed, as well.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for appropriate display at Jess Lanier High School with copies also sent to Mrs. Becky McDowell, Cheerleader Sponsor, on behalf of the team, and to the Bessemer Board of Education.

On motion of Rep. Lewis, the rules were suspended and the resolution, H. J. R. 34, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

Was taken up.

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment to the bill, H. 74 as amended:

Amend the bill in Section 3, page 5 on line 21 by adding after the word "respects" the punctuation and words "; provided, however, that in no event shall the provisions of Act No. 81-764 and Act No. 81-770 be construed to prohibit the disbursement of any moneys derived from the investment of Oil and Gas Rentals pursuant to any appropriations of such moneys made in acts adopted at the session of the Legislature at which this Act is adopted."

Further amend the bill in Section 4, page 6, on line 8 by adding after the word "Corrections" the words "pursuant to the provisions of Act No. 81-764 and (ii) all other amounts at any time appropriated by the Legislature from other sources for the use of the Board of Corrections".

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Holley, Holmes, Howard, Johnson (R. G.), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

And the bill, H. 74, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 4.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Higginbotham, Holley, Holmes, Howard, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—89

Nays: Reps. Albright, Boles, Naramore and Trammell.

—4

And the bill:

H. 76. To appropriate ten million dollars (\$10,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the support and encouragement of educational, agricultural and industrial activities involving basic and applied scientific research and development.

Was taken up.

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment No. 1 to the bill, H. 76:

Amend the bill in the Synopsis, page 1, on line 9 by adding after the word "from" the words "income from the investment of".

Further amend the bill in the Title, page 1, on line 20 by adding after the word "from" the words "income from the investment of".

Further amend the bill in Section 1, page 1, on line 33 by striking the word "advanced" and inserting in lieu thereof the words "income or profit derived from the investment and reinvestment of the advance".

Further amend the bill in Section 1, page 1, on line 37 by striking the words "and from the income or profit derived from the investment and" and on page 2, on line 5 by striking the words "reinvestment of said rentals."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Bennett, Biddle, Blake, Boles, Brakefield, Cabaniss, Campbell, Cheatwood, Coburn, Cosby, Crow, Daniels, Dixon,

Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holley, Holmes, Johnson (R. G.), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—74

CO-SPONSOR ADDED

Rep. Gilmer was added as co-sponsor to the bill, H. 76.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 3. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

H. 22. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Rep. Boles that the House adjourn until 1:00 o'clock p.m., Tuesday, November 17, 1981, was lost.

Yeas 16; Nays 59.

Yeas:

Reps. Albright, Boles, Cheatwood, Clark (W), Coburn, Escott, Gafford, Hall, Howard, Langford, Manley, Olive, Payne, Rains, Trammell and Wyatt.

—16

Nays:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Bowling, Brakefield, Cabaniss, Campbell, Cates, Clark (G), Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Grimsley, Grouby, Hammett, Harper (T), Hines, Holmes, Jackson, Kelley, Letson, McKee, McMillan, Minus, Mitchell, Moore, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—59

H. 76 RESUMED

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment No. 2 to the bill, H. 76 as amended:

Amend the bill on page 2 by adding after Section 2 a new Section 3 as follows:

"Section 3. Reports to the Legislature. For each disbursement of the moneys herein appropriated, the Governor shall designate the agency, institution, individual, corporation or other entity which is to receive the most benefit from such disbursement. Each such disbursement shall be conditioned upon the designated beneficiary thereof agreeing to furnish to the Legislature one or more reports indicating the purpose or purposes for which the moneys subject to such disbursement have been spent. Each such report shall be delivered to both the House of Representatives and the Senate during the first ten legislative days of the regular session of the Legislature immediately following the actual expenditure of all or a portion of the moneys subject to the disbursement for which such report is being made. For any given disbursement, once all of the moneys subject thereto have been accounted for in one or more reports, no further reports to the Legislature shall be required by the terms of this Act."

Further amend the bill on page 2, line 24, by striking the number "3" following the word "Section" and inserting in lieu thereof the number "4".

H. 76 TEMPORARILY POSTPONED

On motion of Rep. Bedsole, further consideration of the bill, H. 76 as amended and with pending amendment, was temporarily postponed.

And the bill:

H. 78. To appropriate six million dollars (\$6,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

Was taken up.

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment No. 1 to the bill, H. 78 as amended:

Amend the bill in the Synopsis, page 1, on line 9 by adding after the word "from" the words "income from the investment of".

Further amend the bill in the Title, page 1, on line 21 by adding after the word "from" the words "income from the investment of".

Further amend the bill in Section 1, page 1, on line 37 by adding after the words "made from the" the words "income or profit derived from the investment and reinvestment of the".

Further amend the bill in Section 1, page 2, on lines 7 and 8 by striking the words "and from the income or profit derived from the investment and reinvestment of said rentals".

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holley, Holmes, Horn, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, Letson, Lewis, Manley, Minus, Mitchell, Moore, Olive Owens, Parker, Patton, Payne, Pegues, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Stewart, Stout, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—78

AMENDMENT OFFERED

Rep. Clark (G) offered the following amendment No. 2 to the bill, H. 78 as amended:

Amend House Bill 78 in Section 1, page 2 on line 12 by striking the words "In ordering the disbursement of the moneys in said" and by striking in their entirety lines 13 through 21 and inserting in lieu thereof the following:

"Said \$6,000,000 shall be disbursed to the general fund of the several counties by the state comptroller upon vouchers certified by the Commissioner of the State Department of Corrections upon approval of the Governor. The amounts disbursed to the several counties shall be on the basis of two dollars and twenty-five cents (\$2.25) per day for each state prisoner housed in the county jails from the period beginning March 1, 1977 through February 28, 1981. Should said six million dollars (\$6,000,000) be insufficient to pay the total sum based on the above ratio, then said amount shall be prorated in such a manner that the per prisoner per day monetary amount shall be the same in every county. Should said six million dollars (\$6,000,000) be in excess of the amount necessary to pay the reimbursement according to said two dollars and twenty-five cents (\$2.25) per prisoner per day ratio, then the surplus shall carry forward and the several counties shall be reimbursed at the rate of two dollars and twenty-five cents (\$2.25) per prisoner per day from March 1, 1981 until the surplus is totally expended."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Biddle, Blake, Buskey, Cabaniss, Campbell, Carothers, Cheatwood, Clark (G), Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley,

Mitchell, Moore, Owens, Parker, Patton, Penry, Ray, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—73

Nays: Reps. Gafford, Payne and Smith (M).

—3

And the bill:

H. 78. To appropriate six million dollars (\$6,000,000) from income from the investment of certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Stmith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Tucker, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—85

PERMISSION GRANTED

Permission was granted for the Journal to show Rep. Zoghby would have voted "Yea" on the passage of the bill, H. 78, had she been in the Chamber at the time of voting.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 3. To amend Section 8-8-10 of the Code of Alabama 1975, relating to interest on money judgments and costs, so as to further provide for the rate of interest on money judgments and costs.

Also:

H. 22. To amend Section 15-22-32, Code of Alabama 1975, relating to the holding of parole courts by the board of pardons and paroles for alleged parole violations, so as to provide further for the holding of such parole courts.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Barron:

S. 53. To provide that State Legislators' travel expenses shall be treated for state income tax purposes in the same manner as for federal income tax purposes.

Also:

By Mr. Gullledge:

S. 47. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

By Messrs. Mitchem, Miller, Robertson and Denton:

S. 25. Relating to the eradication of brucellosis in livestock: To make an appropriation to the Department of Agriculture and Industries for the fiscal year 1981-1982 from the general fund into the agricultural fund; to indemnify owners of livestock for the value of any livestock ordered condemned and destroyed for the prevention of brucellosis in livestock.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 53. Ways and Means.

S. 47. Judiciary.

S. 25. Agriculture and Forestry.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Lemaster and McDonald:

S. J. R. 24. REQUESTING MR. CHARLES W. SHUMAN, ADMINISTRATOR OF THE FARMERS HOME ADMINISTRATION IN WASHINGTON, D.C., TO AUTHORIZE A MORATORIUM ON REPAYMENT OF FARM LOANS.

WHEREAS, vast numbers of our nation's farmers are suffering the inroads of inflation, facing ever-rising and increasingly steeper costs for equipment, fertilizer, feed, insecticides and other operational necessities; and

WHEREAS, in order to continue operating, our farmers have been forced to seek loans from the Farmers Home Administration with farm debts increasing more than 60% within the past four years, from 1.4 to 1.8 billion dollars, in the state of Alabama alone; and

WHEREAS, with no relief in sight from inflationary costs, our nation's farmers are finding it alarmingly more difficult, if not impossible, to repay their indebtedness while continuing to produce the necessary food supplies for our country; and

WHEREAS, the Alabama Legislature is deeply concerned, not only for the plight of our farmers in Alabama, but those nationwide as well; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in order to avert impending financial disaster in the farming sector and to avoid placing our nation's food supply in jeopardy, we hereby call upon Mr. Charles W. Shuman, Administrator of the Farmers Home Administration in Washington, D.C., to authorize a moratorium on repayment of farm loans.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mr. Shuman, to the FmHA State Director, Mr. Dale N. Richey, to the United States Commissioner of Agriculture and to the Alabama Farm Bureau Federation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Letson, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 24, set out in the above and foregoing Message from the Senate.

BILLS ON THIRD READING RESUMED

H. 76 AGAIN TAKEN UP

The bill, H. 76 as amended, which previously was temporarily postponed with pending amendment No. 2 offered by Rep. Clark (G), was again taken up.

AMENDMENT ADOPTED

The question was then on the amendment No. 2 offered by Rep. Clark (G) to the bill, H. 76 as amended, and the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—75

AMENDMENT OFFERED

Rep. Harper (T) offered the following amendment to the bill, H. 76 as amended:

On page 1, on line 12 after the word "agriculture" insert:

, maricultural

On page 1, on line 23 after the word "agricultural" insert:

, maricultural

On page 1, on line 31 after the word "agricultural" insert:

, maricultural

On page 2, on line 21 after the word "agricultural" insert:

, maricultural

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bennett, Biddle, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cheatwood, Clark (W), Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

—72

AMENDMENT OFFERED

Rep. Bedsole offered the following amendment to the bill, H. 76 as amended:

Amend House Bill 76, Page 2 by striking the language following the period on line 19 and by striking lines 20, 21 and 22 in their entirety and inserting the following:

The Governor shall select the projects to be funded from a list furnished him by a committee of ten (10) persons, two (2) by the Lieutenant Governor, two (2) by the Speaker of the House of Representatives and six (6) appointed by the Governor that must have representatives from agriculture, education, and industry. This committee shall submit a list of not less than eighteen (18) names from which the Governor must make his selection.

AMENDMENT TABLED

On motion of Rep. Carothers, the amendment offered by Rep. Bedsole to the bill, H. 76 as amended, was tabled.

Yeas 63; Nays 19.

Yeas:

Mr. Speaker, Adams (C), Albright, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Cates, Coburn, Cosby, Crow, Daniels, Dial, Drinkard, Ford, Gafford, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Higginbotham, Holley, Holmes, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Lewis, McKee, Minus, Mitchell, Moore, Owens, Payne, Pegues, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Tucker, Turner, Turnham, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—63

Nays:

Reps. Barton, Bedsole, Buskey, Clark (W), Dixon, Edwards, Gilmer, Horn, Howard, Langford, Letson, Naramore, Patton, Penry, Seibels, Stewart, Trammell, Venable and Wyatt.

—19

CO-SPONSORS ADDED

Reps. Reed and Holmes were added as co-sponsors to the bill, H. 76.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1. To establish a lifetime resident hunting license, a lifetime resident fishing license, and a combination lifetime resident hunting and fishing license; to provide for the deposit of the proceeds into a special account in the Game and Fish Fund, to be called the Alabama Game and Fish Endowment Fund, and to prescribe the manner in which said account will be administered.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion offered by Rep. Holmes that the House adjourn until 1:00 o'clock p.m., Tuesday, November 17, 1981, was lost.

Yeas 8; Nays 57.

Yeas:

Reps. Holmes, Howard, Langford, Manley, Rains, Trammell, Williams and Wyatt.

—8

Nays:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Cabaniss, Campbell, Carothers, Cates, Clark (G), Crow, Daniels, Dial, Dixon, Edwards, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Higginbotham, Holley, Kelley, Letson, Lewis, McMillan, Minus, Mitchell, Moore, Olive, Parker, Patton, Pegues, Penry, Ray, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Stout, Venable, Waggoner, Ward, Warren, Whatley, Willis and Zoghby.

—57

H. 76 RESUMED

And the bill:

H. 76. To appropriate ten million dollars (\$10,000,000) from income from the investment of certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the support and encouragement of educational, agricultural, maricultural and industrial activities involving basic and applied scientific research and development.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Brakefield, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Higginbotham, Holmes, Howard, Jackson, Johnson (R. G.), Kelley, Laird, Langford, Letson, Lewis, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Stout, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—80

Nays:

Reps. Albright, Buskey, Clark (W), Naramore, Olive and Trammell.

—6

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1. To establish a lifetime resident hunting license, a lifetime resident fishing license, and a combination lifetime resident hunting and fishing license; to provide for the deposit of the proceeds into a special account in the Game and Fish Fund, to be called the Alabama Game and Fish Endowment Fund, and to prescribe the manner in which said account will be administered.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. on November 12, 1981.

H. 3

H. 22

Delivered to the Governor at 2:45 P.M. on November 12, 1981.

H. 1

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Carothers and pursuant to the resolution, H. R. 29, heretofore adopted, the House adjourned until 1:00 o'clock p.m., Tuesday, November 17, 1981.

Yeas 50; Nays 27.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Blake, Brakefield, Buskey, Campbell, Carothers, Cheatwood, Clark (G), Clark (W), Coburn, Crow, Daniels, Escott, Gilmer, Goodwin, Hall, Hammett, Higginbotham, Holley,

Holmes, Horn, Howard, Jackson, Kennedy, Langford, McMillan, Manley, Mitchell, Moore, Olive, Owens, Parker, Pegues, Penry, Rains, Riddick, Sasser, Seibels, Smith (J), Starkey, Tucker, Turner, Turnham, Whatley, Williams, Willis and Wyatt.

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Nays:

Reps. Adams (C), Amari, Bedsole, Bennett, Cabaniss, Dial, Dixon, Edwards, Grouby, Harper (O), Harper (T), Letson, Lewis, Minus, Naramore, Patton, Payne, Roberts, Sandusky, Shoemaker, Smith (C), Stewart, Trammell, Venable, Waggoner, Warren and Zoghby.

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SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, November 17, 1981

The House met pursuant to adjournment.

PRAAYER

The session was opened with prayer by Rev. Bob Karcher, Pastor, First Baptist Church, Wedowee, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 34. CONGRATULATING THE BESSEMER JESS LANIER HIGH SCHOOL CHEERLEADERS UPON THEIR FIRST PLACE STATE AWARD BY THE NATIONAL FEDERATION OF AMERICAN CHEERLEADERS.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 5. Relating to Marion County; amending Section 1 of Act No. 108, H. 78 Regular Session (Acts 1978, p. 1825), relating to an additional expense allowance for members of the county board of education, so as to increase the amount of such allowance.

Also:

H. 51. Relating to the method of giving notice of the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

Also:

H. 88. Relating to the practice of barbering in Escambia County; to regulate further the training and licensing of barbers and conditions under which barbers and cosmetologists may work in such county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 84. Relating to DeKalb County; authorizing the county commission to employ a county revenue officer to collect county taxes and to inspect licenses.

Also:

H. 98. Proposing an amendment to the Constitution of 1901, authorizing the legislature to abolish the separate offices of tax assessor and tax collector in Colbert County and to provide for the consolidation of the duties of said office into a new office.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rep. Manley:

H. R. 35. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Tuesday, November 17, 1981, we adjourn to meet again on Wednesday, November 18, 1981, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 35, was adopted.

LEAVE OF ABSENCE

At the request of Rep. Manley, leave of absence was granted for Reps. Hines and Jackson.

REPORT OF STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with amendment:

S. J. R. 22. AGRICULTURAL MARKETING FACILITY.

Said amendment being as follows:

Amend Senate Joint Resolution 22, line 24, after the word "conducted" by striking under the auspices of and inserting in lieu thereof the word by.

On motion of Rep. Smith (C), the resolution, was adopted.

On motion of Rep. Smith (C), the resolution, S. J. R. 22 as amended, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

S. J. R. 17. AMENDING S. J. R. 19, Act No. 81-954, 1981 FIRST SPECIAL SESSION, RELATING TO INTERIM LEGISLATIVE COMMITTEE TO STUDY FEDERAL BLOCK GRANTS.

MOTION TO ADOPT

Rep. Smith (M) offered the motion to adopt the resolution, S. J. R. 17.

AMENDMENT OFFERED

Rep. Holley offered the following amendment to the resolution, S. J. R. 17:

Amend S. J. R. 17 by adding after the word "House" on line 25, page 1; and all other members of the House of Representatives wishing to serve on said committee.

MOTION TO TABLE LOST

The motion offered by Rep. Smith (M) to table the amendment offered by Rep. Holley to the resolution, S. J. R. 17, was lost.

AMENDMENT LOST

The question was then on the adoption of the amendment offered by Rep. Holley to the resolution, S. J. R. 17, and the amendment was lost.

Yeas 33; Nays 36.

Yeas:

Reps. Adams (C), Albright, Bennett, Boles, Brakefield, Cooley, Cosby, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Hall, Harvey, Holley, Holmes, Howard, Johnson (Roy), Langford, Letson, Olive, Parker, Penry, Rains, Seibels, Smith (C), Stout, Tucker, Turner, Waggoner, Williams and Wyatt.

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Nays:

Mr. Speaker, Adams (H), Bedsole, Biddle, Bowling, Carothers, Carter, Cates, Clark (G), Coburn, Crow, Dial, Gafford, Goodwin, Grouby, Harper (T), Higginbotham, Horn, Kennedy, McKee, Manley, Minus, Moore, Naramore, Nevett, Owens, Pegues, Roberts, Sandusky, Smith (J), Smith (M), Starkey, Trammell, Venable, Willis and Zoghby.

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AMENDMENT OFFERED

Rep. Holmes offered the following amendment to the resolution, S. J. R. 17:

Amend S. J. R. 17, page 1, lines 23 and 24 by striking the names Tony Harrison and Martha Jo Smith and inserting "appointed by the Speaker of the House".

Also amend S. J. R. 17, page 2, line 11 by striking \$47,000.00 and inserting \$12,000.00.

MOTION TO TEMPORARILY POSTPONE

Rep. Smith (M) offered the motion to temporarily postpone further consideration of the resolution, S. J. R. 17 with pending amendment.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Rep. Boles to postpone further consideration of the resolution, S. J. R. 17 with pending amendment, to the eighth legislative day, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 20. REQUESTING THAT ALL INTER-COLLEGIATE SPORTING EVENTS OF STATE-SUPPORTED SCHOOLS HELD IN THE STATE OF ALABAMA BE PRECEDED BY PUBLIC PRAYER.

Also:

S. J. R. 21. COMMENDING MR. MARVIN LEWIS OF DOTHAN, ALABAMA, RETIRED COCA-COLA BOTTLING COMPANY OFFICIAL AND PROMINENT WIREGRASS CITIZEN.

Also:

S. J. R. 24. REQUESTING MR. CHARLES W. SHUMAN, ADMINISTRATOR OF THE FARMERS HOME ADMINISTRATION IN WASHINGTON, D. C., TO AUTHORIZE A MORATORIUM ON REPAYMENT OF FARM LOANS.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 5. Relating to Marion County; amending Section 1 of Act No. 108, H. 78 Regular Session (Acts 1978, p. 1825), relating to an additional expense allowance for members of the county board of education, so as to increase the amount of such allowance.

Also:

H. 51. Relating to the method of giving notice of the procedure for service of summoning witnesses and summons and complaints in Crenshaw County so that such service and subpoenas may be by United States mail in the county under certain conditions.

Also:

H. 84. Relating to DeKalb County; authorizing the county commission to employ a county revenue officer to collect county taxes and to inspect licenses.

Also:

H. 88. Relating to the practice of barbering in Escambia County; to regulate further the training and licensing of barbers and conditions under which barbers and cosmetologists may work in such county.

Also:

H. J. R. 34. CONGRATULATING THE BESSEMER JESS LANIER HIGH SCHOOL CHEERLEADERS UPON THEIR FIRST PLACE STATE AWARD BY THE NATIONAL FEDERATION OF AMERICAN CHEERLEADERS.

Also:

H. 98. Proposing an amendment to the Constitution of 1901, authorizing the legislature to abolish the separate offices of tax assessor and tax collector in Colbert County and to provide for the consolidation of the duties of said office into a new office.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Reps. Manley, Holmes, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 36. PLEDGING TO STOP DRUGS AT THE SOURCE.

WHEREAS, the availability of harmful and illicit drugs to our children is a threat to the life, liberty and pursuit of happiness of the people and the security of Alabama and the United States of America; and,

WHEREAS, the availability of harmful and illicit drugs to our children constitutes a violation of human rights; and,

WHEREAS, the people have recognized their responsibility and have petitioned officials at all levels and branches of city, county, state and federal government to take whatever action is necessary to stop drugs at the source; and,

WHEREAS, the people have the right to petition and all officials are amenable to them; and,

WHEREAS, the first step necessary to respond to the people is for the city, county, state and federal governments to agree to work together; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the people have formally petitioned for the necessary action to stop drugs at the source and we do hereby pledge to work together to take the necessary cooperative interaction to stop drugs at the source.

BE IT FURTHER RESOLVED, That this accord serves as evidence of our committment to take whatever action is necessary to stop drugs at the source.

RESOLVED FURTHER, That a copy of this resolution be provided for presentation to The Honorable Thad Eure, Secretary of the State of North Carolina, who has worked hard on behalf of the Stop Drugs at the Source Committee.

RESOLVED FURTHER, That the Secretary of the State of Alabama is forthright charged with delivery of said resolution for presentation.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 36, was adopted.

Also:

By Reps. Tucker, Howard, Horn, Jackson, Nevett, Escott, Harrison and Biddle:

H. J. R. 37. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

WHEREAS, the State of Alabama has been deeply shocked and saddened by the death of the Reverend J. King Chandler, III, of Birmingham, Alabama, on Wednesday, November 11, at the age of 58 years; and

WHEREAS, the Reverend Chandler died as the result of a gunshot wound inflicted by an assailant, as yet unknown, a deplorable and senseless act which cut short the life of one of our State's most outstanding citizens; and

WHEREAS, the Reverend Chandler, who was an ordained Elder of the African Methodist Episcopal Church and who was serving, at the time of his death, as chairman of the Urban Studies Department of Jefferson State Junior College, was a former president, on two occasions, of Daniel Payne College, his first tenure at the age of 24 as one of the youngest college presidents in the country; and

WHEREAS, the Bessemer, Alabama, native completed undergraduate studies at Wilberforce University, his theological studies at Payne Theological Seminary, and his Ph.D degree was awarded by Columbia University's Teachers College; he first taught psychology at Talladega College, followed by a tenure as president of Daniel Payne, leaving in the early 1960's to join the faculty at Cheyney State University in Pennsylvania; and

WHEREAS, Dr. Chandler returned to the presidency of Daniel Payne College in 1968 for a period of one year before accepting the position he held at Jefferson State Junior College; and

WHEREAS, a former member of the University Year in Action at Birmingham-Southern College, he also served as a moderator for 10 years on the Commentary Forum of Radio WBUL, was a speaker and preacher in the Birmingham-Jefferson County Metroplex, and was chairman of the 10th anniversary observance of the Jefferson County Committee on Economic Opportunity in 1974, and in 1975 and 1976, of United Negro College Fund area campaigns; and

WHEREAS, the Reverend Chandler was active in numerous organizations such as the Clergy Who Cares, the National Conference of Christians and Jews, the Visiting Nurses Association and Planned Parenthood, and most particularly with organizations such as Camp Pauline Bray Fletcher and other youth oriented programs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the tragic and untimely death of Dr. J. King Chandler, III, of Birmingham, Alabama, and extend our most heartfelt sympathy to his wife, Mrs. Doris Tolbert Chandler, to their son and daughter, Franklin and Yvonne Jeannette, and to other family members to whom a copy of this resolution shall be sent.

On motion of Rep. Tucker, the rules were suspended and the resolution, H. J. R. 37, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Tucker, Howard, Horn, Jackson, Nevett, Escott, Harrison and Biddle:

H. R. 38. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

Also:

The following resolutions were introduced:

By Rep. Gilmer:

H. J. R. 39. COMMENDING AND CONGRATULATING ALABAMA STATE TROOPER ROY L. SANDERSON OF FAYETTE, ALABAMA.

WHEREAS, it is with great pride and pleasure that the Alabama Legislature notes the selection of Alabama State Trooper Roy L. Sanderson of Fayette, Alabama, as 1980 Trooper of the Year, an annual award of distinction of the Alabama Petroleum Council Executive Committee; and

WHEREAS, nominated by his supervisors, Trooper Sanderson was selected on the basis of his outstanding work in traffic law enforcement and for his efforts in the Truck Accident Prevention Program; and

WHEREAS, Trooper Sanderson, who presently resides in Fayette, Alabama, is a graduate of Hamilton High School and of Northwest Alabama State Junior College in 1974; he is a United States Army veteran who served two tours of duty in Vietnam, was wounded in action and was decorated with a Purple Heart, two Bronze Stars, two commendation medals and the Vietnamese Cross of Gallantry; and

WHEREAS, he joined the Department of Public Safety in 1976 and served in Demopolis and in Hamilton prior to his present assignment in Fayette; and

WHEREAS, Trooper Sanderson is an Emergency Medical Technician, who completed the course necessary for such designation on his own time, and he is the 1980 recipient of the Highway Patrol Division Thunderbolt Award for having recovered the most stolen cars of any member of the Division; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Roy L. Sanderson of Fayette, Alabama, as the 1980 Alabama Trooper of the Year.

BE IT FURTHER RESOLVED, That Trooper Sanderson receive a copy of this resolution, evidencing our pride in his accomplishments, as a token of our warm praise and high regard.

On motion of Rep. Gilmer, the rules were suspended and the resolution, H. J. R. 39, was adopted.

Also:

By Rep. Venable, Harper (O) and Smith (C):

H. J. R. 40. MOURNING THE DEATH OF COACH EDWARD PAUL TAYLOR OF TALLASSEE, ALABAMA.

WHEREAS, it is in deep sorrow and regret that the Alabama Legislature notes the death of Coach Edward Paul Taylor of Tallassee, Alabama, on October 31, 1981, at the age of just 53 years; and

WHEREAS, a native of Tallassee and a graduate of Tallassee High School, Paul Taylor was a United States Air Force Veteran of some five years which included a tour of duty, upon recall, during the Korean Conflict; and

WHEREAS, Coach Taylor earned his B.S. degree from Troy State University during which time he served as coach of the University's Junior Varsity Basketball Team; his Masters degree was later acquired from Auburn University, and his AA Certificate in guidance and counseling from AUM; and

WHEREAS, following graduation from Troy State in 1954 and for the next twelve years, Coach Taylor served as coach at Talladega, Brantley, Macon County and Chilton County High Schools, and as principal for one year of a Harrelson, Georgia, elementary school; during his seven years tenure at Macon High School, Coach Taylor produced two state basketball championship teams; and

WHEREAS, in 1968, following a one-year venture into private enterprise, Coach Taylor returned home to Tallassee, and to his "first calling," as

assistant football coach and head basketball coach, also serving as assistant principal and social studies teacher, and later as Counselor and Guidance Director, at Tallassee High; and

WHEREAS, among numerous awards and honors awarded Coach Taylor was the Birmingham News' "Service to Alabama Youth Award," and "Coach of the Year" as twice designated in the East Alabama Athletic Conference; and

WHEREAS, Coach Paul Taylor's love for his profession was returned in full measure by the young students he coached and counseled through the years; through his own life and works, Coach Taylor helped shape the lives of Alabama's youth and, in the molding, left a legacy of our hope for the future in young men and women of high ideals and great potential for leadership and achievement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Coach Edward Paul Taylor of Tallassee, Alabama, and extend our most heartfelt sympathy to his wife, Mrs. Glenda Taylor, and their son, Brian Paul; to his mother, Mrs. Samuel P. Taylor, and other family members to whom a copy of this resolution shall be sent, evidencing our deeply shared sorrow in their great loss.

On motion of Rep. Venable, the rules were suspended and the resolution, H. J. R. 40, was adopted.

Also:

By Rep. Venable:

H. J. R. 41. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN CONSTITUTIONAL AMENDMENTS PROPOSED AT THE 1981 REGULAR SESSION AND THE FIRST, SECOND AND THIRD SPECIAL SESSIONS OF THE LEGISLATURE; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION, SETTING SUCH ELECTION.

WHEREAS, during the 1981 Regular and Special Sessions, the Legislature proposed numerous constitutional amendments to be submitted to the people for ratification at the primary and general elections of 1982; and

WHEREAS, additional proposed amendments are anticipated during the 1982 Regular Session which could create a burden on the election facilities; and

WHEREAS, the Justices of the Supreme Court, in Opinion of the Justices, No. 177, 275 Ala. 372 (1963), advised the Legislature that there is no constitutional impediment for the same Legislature at a succeeding session changing the date for holding the election on a proposed constitutional amendment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon the amendments proposed by the 1981 Regular and 1981 First, Second and Third Special Sessions be held on the first Tuesday after the expiration of ninety (90) days following adjournment of the 1981 Third Special Session.

BE IT FURTHER RESOLVED, That Act No. 81-673, H. J. R. 377 of the 1981 Regular Session, designating November 2, 1982, for elections on proposed constitutional amendments, is hereby specifically repealed and rescinded.

RESOLVED FURTHER, That copies of this resolution shall be sent forthwith by the Clerk of the House to the Governor and the Secretary of State.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Venable offered the motion to suspend the rules and adopt the resolution, H. J. R. 41.

RESOLUTION TEMPORARILY POSTPONED

On motion offered by Rep. Venable, consideration of the resolution, H. J. R. 41, was temporarily postponed.

Also:

By Rep. Harvey:

H. J. R. 42. MOURNING THE DEATH OF DR. WILLIAM RUSSELL SUTTON, PROMINENT BLOUNTSVILLE, ALABAMA, PHYSICIAN AND CIVIC LEADER.

WHEREAS, the Legislature of Alabama has been deeply saddened and grieved by the death of Dr. William Russell Sutton of Blountsville, Alabama, on August 29, 1981, at the age of 68 years; and

WHEREAS, for more than 30 years, since 1948, Dr. Sutton had, for the most part, served as the only physician in the City of Blountsville whose residents returned his loyalty to the community with deep affection and esteem; and

WHEREAS, a native of Sedalia, Missouri, Dr. Sutton was a graduate of University Medical School in Memphis, Tennessee, and also held a Ph.D Degree from Iowa State College; he was a United States Marine Corps veteran with the U.S. Public Health Service in a Memphis hospital during World War II and later was an instructor at Vanderbilt University and a chemist at Abraham Baldwin Agriculture College in Tifton, Georgia; and

WHEREAS, in addition to his private practice in Blountsville, Dr. Sutton further served for a number of years on medical staffs of the old Doctors' Hospital and of Blount Memorial Hospital in Oneonta; and

WHEREAS, he was a member of the county, state and American medical associations, Phi Beta Pi Medical Society, Theta Chi Delta fraternity and the First United Methodist Church of Sedalia; and

WHEREAS, Dr. Sutton was active in the Blountsville PTA and had donated the land for the Blountsville Public Library; and

WHEREAS, as a dedicated physician, Dr. Sutton ministered to his patients with love and understanding, treating those in need of his services, regardless of ability to pay; his office remained open seven days a week, his fee had only recently been raised from \$3.00 to \$4.00 for an office visit, and on many occasions, the satisfaction of having served was Dr. Sutton's only reward; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Dr. William Russell Sutton of Blountsville, Alabama, a beloved physician and a warm and generous man.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to his wife and family that they may know we deeply share the sorrow of their great loss.

On motion of Rep. Harvey, the rules were suspended and the resolution, H. J. R. 42, was adopted.

BILLS ON SECOND READING

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 46. (With Amendments): To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to September 30, 1982, and to provide that the moneys so appropriated shall be certain moneys derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 41. (With Amendment): To propose an amendment to the Constitution of Alabama of 1901 authorizing the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, and providing that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or participation by the State in works of internal improvement.

The above bill was read a second time at length as required by the Constitution.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 39. (With Amendment): To repeal Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Finance Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982.

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 44. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate money from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

S. 42. To appropriate six million dollars (\$6,000,000) from certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

H. 32. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1982.

S. 8. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used tire of an automotive vehicle or truck trailer, semitrailer, or house trailer is taken in trade as a credit or part payment on the sale of a tire for an automotive vehicle, truck trailer, semitrailer, or house trailer, the sales tax shall be paid on the net difference.

S. 10. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

S. 11. To amend Section 28-3-74 (e) of the Code of Alabama 1975, to provide that when a county changes its status from a dry county to a wet county that such county will be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year. To further provide that a newly created municipality in a wet county shall be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year.

S. 20. To amend Section 12-17-61, Code of Alabama 1975, relating to the number of district court judges in the State of Alabama so as to provide two district court judges for Lee County and to provide for the time of establishment of such judgeship No. 2 and for the appointment of and election of such additional district judge.

S. 53. To provide that State Legislators' travel expenses shall be treated for state income tax purposes in the same manner as for federal income tax purposes.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 47. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 101. (With Amendment): To prohibit any person in the executive branch or in the legislative branch of government or any of their relatives by blood or marriage within the fourth degree of kindred, from receiving any gain or profit, directly or indirectly, from the expenditure of any funds or monies from any permanent trust fund, interest bearing general obligation bonds, notes or other evidences of indebtedness, bond issues or interest accrued or accruing, derived directly or indirectly by the state from the past and future dispositions of its rights in offshore oil, gas and other hydrocarbon minerals, pursuant to any legislation in the 1981 Third Special Session; to make certain exclusions; and to provide a penalty for violating the provisions of this Act.

Rep. Whatley, Chairman of the Standing Committee on Agriculture and Forestry, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 25. Relating to the eradication of brucellosis in livestock: To make an appropriation to the Department of Agriculture and Industries for the fiscal year 1981-1982 from the general fund into the agricultural fund; to indemnify owners of livestock for the value of any livestock ordered condemned and destroyed for the prevention of brucellosis in livestock.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Minus (With Notice and Proof):

H. 113. Relating to Choctaw County; to prohibit the use of steel traps to catch fur-bearing animals; to provide an exception for the catching of beaver.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 113, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Rep. Escott (With Notice and Proof):

H. 114. To amend Sections 4 and 5 of Act. No. 232 adopted in the 1977 Regular Session of the Legislature of Alabama so as to increase the amount to be paid by Jefferson County to the transit authority referred to in that Act from 6% to 18% measured by the ad valorem tax referred to in the said Act and to increase the amount to be paid to such transit authority by each municipality in Jefferson County from 10% to 30% measured by such ad valorem tax.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 114, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

NOTICE IN WRITING FILED

Rep. Boles filed the following Notice in Writing:

Pursuant to House Rule 49, notice is hereby given on the Seventh Legislative Day that on the Eighth Legislative Day after the call of the districts, I will move to take House Bill 81 from the adverse calendar and place it on the regular calendar.

RESOLUTION

The following resolution was introduced:

By Reps. Waggoner, Biddle and Payne:

H. J. R. 43. RENAMING THE OIL AND GAS LEASE TRUST FUND THE CALLAHAN-CLARK-TEAGUE PERPETUAL TRUST FUND.

WHEREAS, Seantor H. L. Callahan of Mobile, Senator John Teague of Childersburg and Representative George Clark of Eutaw were at the forefront of the drive to wisely invest the oil and gas lease windfall received by the State; and

WHEREAS, Sonny Callahan, John Teague and George Clark have made a great contribution to this State by bringing to the attention of the citizens of this State the options available for investing said oil money; and

WHEREAS, Senator Callahan, Senator Teague and Representative Clark have worked diligently across the length of this State to help formulate a plan which will enhance the lives of citizens of Alabama for generations to come; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the trust fund created by either H. B. 72 or S. B. 38 of the 1981 3rd Special Session shall henceforth bear the popular title, "The Callahan-Clark-Teague Perpetual Trust Fund."

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Senator Callahan, Senator Teague and Representative Clark with our deep appreciation for a job well done.

The resolution, H. J. R. 43, was read and referred to the Standing Committee on Rules.

H. J. R. 41 AGAIN TAKEN UP

The resolution, H. J. R. 41 which previously was temporarily postponed, was again taken up.

AMENDMENT OFFERED

Rep. Venable offered the following amendment to the resolution, H. J. R. 41:

Amend House Joint Resolution 41, Page 1, Line 34 by removing the period and inserting a comma and adding the following language:

provided, however, that if the date for such election should fall on March 9, 1982 the election shall instead be held on March 16, 1982.

AMENDMENT ADOPTED

On motion of Rep. Venable, the amendment was adopted.

RESOLUTION ADOPTED

On motion of Rep. Venable, the rules were suspended and the resolution, H. J. R. 41 as amended, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Whatley, the rules were suspended in order to take up out of order the bill, H. 67.

Yeas 52; Nays 0.

Yeas:

Reps. Adams (C), Barton, Bedsole, Blake, Boles, Brakefield, Campbell, Carter, Cheatwood, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Grimsley, Grouby, Harper (O), Harper (T), Horn, Johnson (Roy), Kennedy, Laird, Langford, Moore, Nevett, Olive, Parker, Penry, Ray, Reed, Roberts, Sandusky, Seibels, Shoemaker, Smith (C), Starkey, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 67. To permit the sale, conveyance, lease or other disposition of water systems (or portions thereof) of certain non-profit entities to certain public authorities or corporations without the necessity of any approval or consent of the Public Service Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Blake, Boles, Brakefield, Campbell, Carothers, Carter, Clark (G), Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Grimsley, Grouby, Harper (T), Holley, Horn, Howard, Laird, Langford, Manley, Moore, Naramore, Nevett, Olive, Parker, Penry, Ray, Riddick, Roberts, Sandusky, Seibels, Shoemaker, Smith (C), Starkey, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—58

MOTION TO ADJOURN LOST

The motion offered by Rep. Holley that the House adjourn until 1:00 o'clock p.m., Wednesday, November 18, 1981, was lost.

Yeas 37; Nays 39.

Yeas:

Reps. Amari, Barton, Blake, Boles, Brakefield, Buskey, Campbell, Cheatwood, Clark (G), Cooley, Escott, Ford, Gregg, Harper (O), Harrison, Harvey, Holley, Horn, Johnson (Roy), Kennedy, Langford, Lewis, Manley, Nevett, Olive, Pegues, Rains, Reed, Riddick, Stout, Trammell, Tucker, Turner, Turnham, Waggoner, Williams and Wyatt.

—37

Nays:

Mr. Speaker, Adams (C), Adams (H), Albright, Bedsole, Bowling, Carter, Coburn, Cosby, Daniels, Dial, Dixon, Edwards, Gafford, Grimsley, Grouby, Hall, Harper (T), Higginbotham, Howard, McKee, Mitchell, Naramore, Owens, Parker, Patton, Payne, Penry, Ray, Roberts, Sandusky, Seibels, Shoemaker, Starkey, Stewart, Ward, Warren, Willis and Zoghby.

—39

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Gafford to suspend the rules in order to take up out of order the bill, H. 17, was lost.

Yeas 3; Nays 9.

Yeas: Reps. Gafford, Seibels and Waggoner.

—3

Nays:

Reps. Boles, Cheatwood, Escott, Howard, Nevett, Olive, Payne, Trammell and Tucker.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Waggoner to suspend the rules in order to take up out of order the bill, H. 40, was lost.

Yeas 7; Nays 9.

Yeas:

Reps. Amari, Bennett, Gafford, Lewis, Moore, Seibels and Waggoner.

—7

Nays:

Reps. Cheatwood, Escott, Harrison, Horn, Howard, Nevett, Olive, Payne and Tucker.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Harper (T) to suspend the rules in order to take up out of order the bill, H. 44, was lost, lacking a four-fifths vote.

Yeas 6; Nays 3.

Yeas:

Reps. Bedsole, Harper (T), Parker, Sandusky, Seibels and Zoghby.

—6

Nays: Reps. Buskey, Stewart and Turner.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Sandusky to suspend the rules in order to take up out of order the bill, H. 86, was lost, lacking a four-fifths vote.

Yeas 6; Nays 3.

Yeas:

Reps. Bedsole, Harper (T), Parker, Sandusky, Stewart and Zoghby.

—6

Nays: Reps. Buskey, Clark (W) and Turner.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 106. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of County Line, in Blount County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 29; Nays 0.

Yeas:

Mr. Speaker, Barton, Bennett, Blake, Bowling, Brakefield, Campbell, Carter, Cheatwood, Coburn, Dixon, Drinkard, Escott, Gilmer, Grimsley, Grouby, Hall, Hammett, Moore, Olive, Owens, Ray, Reed, Seibels, Smith (C), Starkey, Ward, Williams and Zoghby.

—29

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 108. Proposing an amendment to the Constitution of 1901, to repeal Amendment No. 132 of the Constitution of 1901, relating to altering or re-arranging or reducing or abolishing Macon County.

Was read a third time at length and lost, lacking a three-fifths vote of all members elected to the House.

Yeas 49; Nays 0.

Yeas:

Reps. Adams (C), Barton, Bedsole, Bennett, Bowling, Buskey, Campbell, Carter, Cheatwood, Clark (W), Coburn, Crow, Daniels, Dixon, Drinkard, Escott, Ford, Goodwin, Gregg, Hammett, Higginbotham, Holley, Horn, Howard, Johnson (Roy), Laird, Langford, Mitchell, Nevett, Payne, Penry, Ray, Reed, Roberts, Sasser, Seibels, Smith (C), Starkey, Stewart, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. 108 RECONSIDERED

Having voted on the prevailing side, Rep. Riddick offered the motion to reconsider the vote by which the bill, H. 108 was lost, and the motion to reconsider was adopted.

And the bill, H. 108, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cooley, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (T), Harrison, Harvey, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, Mitchell, Moore, Naramore, Nevett, Olive, Parker, Payne, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Stout, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—78

And the bill:

H. 110. Relating to Fayette County; setting fees for pistol permits; providing for disposition of the proceeds from such fees and specifically repealing Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended by Act No. 734, H. 1283, Regular Session 1976 (Acts 1976, p. 1015), and all other laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bennett, Blake, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Coburn, Cooley, Crow, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harvey, Higginbotham, Holmes, Johnson (R. G.), McKee, Manley, Naramore, Nevett, Olive, Ray, Reed, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Venable, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—53

And the bill:

H. 111. To further regulate the sale of alcoholic beverages and the distribution of local municipal alcoholic beverage tax in Lauderdale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bennett, Blake, Carothers, Carter, Cates, Clark (G), Coburn, Crow, Dixon, Drinkard, Edwards, Ford, Gilmer,

Gregg, Grimsley, Grouby, Hall, Hammett, Harvey, Higginbotham, Holmes, Johnson (R. G.), Johnson (Roy), Langford, McKee, Manley, Minus, Mitchell, Ray, Reed, Roberts, Seibels, Shavers, Shoemaker, Starkey, Stout, Turner, Venable, Williams, Willis, Wyatt and Zoghby.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 51. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Campbell, Carter, Cates, Cheatwood, Clark (G), Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Escott, Ford, Goodwin, Grimsley, Hall, Hammett, Harper (T), Harvey, Higginbotham, Holmes, Johnson (R. G.), Laird, Langford, Manley, Minus, Mitchell, Naramore, Nevett, Owens, Parker, Pegues, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Starkey, Stewart, Stout, Tucker, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—66

And the bill:

S. 12. Relating to Franklin County; to provide for additional expense allowances for certain officials of said county and to provide for its retroactive effect.

Was read a third time at length and passed.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Barton, Bedsole, Bennett, Blake, Brakefield, Carter, Cates, Clark (G), Coburn, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Ford, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harvey, Higginbotham, Holmes, Johnson (R. G.), Laird, McKee, Manley, Minus, Mitchell, Naramore, Nevett, Olive, Pegues, Ray, Reed, Roberts, Seibels, Shavers, Shoemaker, Smith (J), Starkey, Stewart, Stout, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—57

And the bill:

S. 28. Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

Was taken up.

AMENDMENT OFFERED

Rep. Ford offered the following amendment to the bill, S. 28:

Amend S. 28 as follows:

On page 1, lines 36-38, delete Section 6 in its entirety and insert in lieu thereof a new Section 6 to read as follows:

Section 6. This Act shall become effective on March 1, 1982.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 40; Nays 1.

Yeas:

Mr. Speaker, Adams (H), Barton, Bennett, Blake, Brakefield, Carter, Cheatwood, Coburn, Cooley, Cosby, Crow, Ford, Gilmer, Grimsley, Hall, Hammett, Harvey, Higginbotham, Holmes, Langford, Manley, Mitchell, Naramore, Nevett, Owens, Ray, Sandusky, Seibels, Shavers, Shoemaker, Smith (J), Starkey, Stewart, Stout, Trammell, Venable, Willis, Wyatt and Zoghby.

—40

Nay: Rep. Drinkard.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 28 as thus amended, was read a third time at length and passed.

Yeas 48; Nays 0.

Yeas:

Reps. Adams (H), Albright, Barton, Bennett, Blake, Brakefield, Carter, Cates, Cheatwood, Coburn, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Ford, Grimsley, Grouby, Hall, Hammett, Harvey, Higginbotham, Holmes, Howard, Langford, Naramore, Nevett, Parker, Rains, Ray, Roberts, Sandusky, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stout, Trammell, Tucker, Venable, Whatley, Willis, Wyatt and Zoghby.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 29. To repeal Act No. 452, S. 663, approved August 20, 1973, Regular Session 1973 (Acts 1973, p. 639), entitled "An Act Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 41; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Barton, Bennett, Bowling, Brakefield, Carter, Cates, Cheatwood, Coburn, Cooley, Crow, Dial, Dixon, Drinkard, Ford, Hall, Hammett, Harvey, Higginbotham, Holmes, Howard, Johnson (R. G.), Langford, Minus, Naramore, Nevett, Parker, Rains, Ray, Reed, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Venable, Willis, Wyatt and Zoghby.

—41

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 30. Relating to Etowah County; to provide for deputy district attorneys for the county.

Was read a third time at length and passed.

Yeas 47; Nays 0.

Yeas:

Reps. Adams (C), Adams (H), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Cartohers, Carter, Cates, Cheatwood, Coburn, Cooley, Crow, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Hall, Hammett, Harvey, Higginbotham, Holmes, Johnson (R. G.), Langford, Lewis, Minus, Mitchell, Naramore, Nevett, Rains, Ray, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Trammell, Venable, Warren, Williams, Willis and Wyatt.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. 6 POSTPONED

On motion of Rep. Smith (C), the bill, S. 6, was postponed to the eighth legislative day.

S. 31 POSTPONED

On motion of Rep. Stout, the bill, S. 31, was postponed to the eighth legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Minus, the rules were suspended in order to take up out of order the bill, H. 24.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bennett, Blake, Bowling, Brakefield, Campbell, Carothers, Cates, Cheatwood, Clark (G), Cooley, Cosby, Crow, Dial, Dixon, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harrison, Harvey, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Laird, Langford, Lewis, McKee, Manley, Minus, Mitchell, Nevett, Olive, Parker, Payne, Pegues, Rains, Ray, Sasser, Shoemaker, Smith (C), Smith (M), Trammell, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

—59

And the bill:

H. 24. To prescribe that no more than one commercial hazardous waste treatment facility or disposal site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste treatment facility or disposal site.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Campbell, Carothers, Cates, Cheatwood, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Gregg, Grimsley, Grouby, Harper (T), Harrison, Harvey, Holley, Holmes, Howard, Johnson (Roy), Laird, Langford, Lewis, McKee, Minus, Moore, Nevett, Olive, Parker, Payne, Pegues, Ray, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Starkey, Stout, Tucker, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

—62

Nays: Reps. Carter, Coburn, Hall, Roberts, Smith (J) and Turner.

—6

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Gullledge:

S. 14. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the

procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Also:

By Messrs. Vacca, Holmes, Mitchem, Teague, Goodwin and White:

S. 65. To make a supplemental appropriation from the Alabama special educational trust fund to the Alabama Department of Youth Services for the fiscal year ending September 30, 1982, for the purposes of subsidizing in part certain regional juvenile detention centers and other purposes; and to state legislative intent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 14. Local Government.

S. 65. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 39. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 39. To amend Act No. 929, 1951 Regular Session (General Acts of 1951, p. 1579), as amended by Act No. 1272, 1973 Regular Session (Acts 1973, p. 2124), and as previously and subsequently amended, which created a retirement system for officers and employees in cities of two hundred

thousand or more inhabitants according to the latest federal decennial census, so as to provide further for the payments of benefits during periods of re-employment.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 42. To establish the salary for the Sheriff of Jefferson County, Alabama: and to provide that the salary as fixed by this Act shall take effect at the beginning of the next term of office of said officer and the beginning of each term of office of said officer thereafter.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House.

H. 49. To make a supplemental appropriation for salaries and other expenses for the use of the House of Representatives and the Alabama Senate for the fiscal year ending September 30, 1982, from the general fund of the state treasury.

Also:

H. 77. To propose an amendment to the Constitution of Alabama of 1901 which will authorize the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multi-family residential property located in the State, which will provide that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement, and which will provide that such amendment shall have no further force and effect after December 31, 1983.

Also:

H. 79. To amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, to extend said date until December 31, 1983.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Joint Resolution:

S. J. R. 22. RELATIVE TO AGRICULTURAL MARKETING FACILITY.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 37. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

I hereby certify that the House Joint Resolution and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:00 P.M. on November 17, 1981.

H. 5

H. 51

H. 84

H. 88

H. J. R. 34

Delivered to the Secretary of State at 4:05 P.M. on November 17, 1981.

H. 98 (Constitutional Amendment)

Delivered to the Governor at 10:30 P.M. on November 17, 1981.

H. 39

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Johnson (Roy) and pursuant to the resolution, H. R. 35, heretofore adopted, the House adjourned until 1:00 p.m., Wednesday, November 18, 1981.

Yeas 46; Nays 32.

Yeas:

Reps. Albright, Amari, Barton, Bennett, Blake, Bowling, Brakefield, Buskey, Campbell, Cheatwood, Clark (G), Clark (W), Cooley, Cosby, Dial, Escott, Ford, Gilmer, Gregg, Harper (O), Harrison, Harvey, Holley, Holmes, Horn, Howard, Johnson (Roy), Kennedy, Langford, Moore, Nevett, Parker, Payne, Pegues, Rains, Ray, Riddick, Sasser, Shoemaker, Smith (C), Stewart, Trammell, Tucker, Turner, Venable and Williams.

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Nays:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Carter, Coburn, Crow, Daniels, Dixon, Grimsley, Grouby, Hall, Hammett, Harper (T), Laird, Lewis, McKee, Minus, Naramore, Olive, Owens, Roberts, Seibels, Smith (J), Turnham, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

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EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, November 18, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Hayne E. Sandifer, Pastor, First Baptist Church, Centreville, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky,

Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

MESSAGE FROM THE SENATE

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 36. PLEDGING TO STOP DRUGS AT THE SOURCE.

Also:

H. J. R. 39. COMMENDING AND CONGRATULATING ALABAMA STATE TROOPER ROY L. SANDERSON OF FAYETTE, ALABAMA.

Also:

H. J. R. 40. MOURNING THE DEATH OF COACH EDWARD PAUL TAYLOR OF TALLASSEE, ALABAMA.

Also:

H. J. R. 42. MOURNING THE DEATH OF DR. WILLIAM RUSSELL SUTTON, PROMINENT BLOUNTSVILLE, ALABAMA, PHYSICIAN AND CIVIC LEADER.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 34. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave polices.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 61. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Also:

H. 104. Relating to Conecuh County; legalizing the sale of draft or keg beer or malt beverages, any laws to the contrary notwithstanding; and providing for the levy, collection and distribution of tax on such draft or keg beer or malt beverages.

Also:

H. 105. Relating to Colbert County; to create a license-issuing division **within the probate judge's office for the issuance of certain licenses; to provide** for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. R. 44. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Wednesday, November 18, 1981, we adjourn to meet again on Thursday, November 19, 1981, at 10:00 A.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 44, was adopted.

Also:

By Rules Committee:

H. R. 45. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made the special and paramount order of business November 18, 1981, taking precedence over any other business of the House.

Report of Standing Committees

Introduction of Bills and Resolutions

Uncontested Local Bills

By Mr. Teague, et al:

S. 42 p. 5-S Reimbursement counties/prisoners

By Mr. Teague, et al:

S. 44 p. 4-S Board of Corrections

By Mr. Harrison:

S. 10 p. 7-S Liquefied petroleum gas

By Mr. White:

S. 18 p. 15 Foreign medical or osteopathic requirements

By Mr. Gulledge:

S. 47 p. 10-S Industrial site bonds

By Mr. Gulledge:

S. 15 p. 16 State treasurer

By Mr. Barron:

S. 53 p. 9-S Legislators' travel expenses

By Mr. deGraffenried:

S. 8 p. 6-S Sale of tires/used tires

By Mr. Denton:

S. 11 p. 7-S Counties, ABC system

By Mr. Martin:

S. 27 p. 14 Perinatal Health Act

On motion of Rep. Pegues, the resolution, H. R. 45, was adopted.

BILLS ON SECOND READING

Rep. Owens, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 65. To make a supplemental appropriation from the Alabama special educational trust fund to the Alabama Department of Youth Services for the fiscal year ending September 30, 1982, for the purposes of subsidizing in part certain regional juvenile detention centers and other purposes; and to state legislative intent.

Rep. Edwards, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 14. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Rep. Warren, Vice-Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 113. Relating to Choctaw County; to prohibit the use of steel traps to catch fur-bearing animals; to provide an exception for the catching of beaver.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. deGraffenried:

S. 61. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 61. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Barron:

S. 2. To provide that any state employee who received a step increase limited under the provisions of Act 80-616, Regular Session 1980, shall be brought up to the normal step under the State Pay Plan.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to the appropriate Standing Committee as follows:

S. 2. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hilliard (With Notice and Proof):

S. 32. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 32 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Hilliard (With Notice and Proof):

S. 33. To provide members of the governing body of Class I cities in Alabama and all cities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits; to provide that this act supersedes the provisions of Sections 1 and 2 of Act No. 129 of the Regular Session of the Legislature of 1965 (Acts of Alabama 1965, pp. 194-195), that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 33 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Hilliard (With Notice and Proof):

S. 34. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census. Section 3.05 is hereby amended.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 34 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 32. Local Legislation No. 2.

S. 33. Local Legislation No. 2.

S. 34. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 37. To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Cates, the House non-concurred in the Senate amendment to the bill, H. 37, and requested a Committee on Conference be appointed on the disagreement between the two Houses, said Senate amendment being as follows:

Amend House Bill 37, on page 2, lines 27 through 32 by deleting the following sentence:

"The speaker of the house shall appoint one person for a seven-year term and the lieutenant governor shall appoint one person for a six-year term; thereafter their successors shall serve for a period of seven years."

And insert in lieu thereof the following sentence:

"The Speaker of the House of Representatives shall appoint three members of the House for the term of office respectively; and the Lieutenant Governor shall appoint three members of the Senate for the term of office."

Amend House Bill 37 on Page 8, after line 10 by inserting the following:

(f) For the first 30 days after a series of loans have been offered, no money may be precommitted until the buyer has been approved to acquire a specific piece of property by the lending institution and notice of such approval has been given to the authority and the authority has ratified the application. Said restriction shall terminate at the end of the 30-day period.

Amend House Bill 37 on Page 5, Line 18, by striking out paragraph (g) in its entirety and add the following sentence beginning on Line 15 to read as follows:

"All members of this committee shall be entitled to their actual expenses incurred in the performance of their duties as members of the committee."

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Bedsole, Bennett, Blake, Boles, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Gilmer, Goodwin, Grimsley, Hammett, Harper (O), Harvey, Higginbotham, Holley, Holmes, Howard, Johnson (Roy), Kennedy, Laird, Langford, Manley, Mitchell, Moore, Olive, Pegues, Penry, Rains, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Stout, Turner, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

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COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House Reps. Cates, Drinkard and Cabaniss.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 72. To propose a self-executing amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its rights in offshore oil, gas and other hydrocarbon minerals, create a board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, limit the liability of individual members of the board of trustees of such trust fund, and establish a legislative oversight commission.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Rep. Clark (G) offered the motion that the House concur in the Senate amendment to the bill, H. 72, said Senate amendment being as follows:

Amend H. B. 72 as follows:

On page 6, Section 3, in line 33 delete the word "seven" and insert in lieu thereof the word: "nine"

And in line 36 after the word "Governor," delete the word "one" and insert in lieu thereof the word "two" and in line 36 after the words "Lieutenant Governor, and" delete the word "one" and insert the word: "two"

On page 7, in Section 3, in lines 13 and 17, delete the word "Turstee" and insert in lieu thereof the word: "Trustees"

MOTION TO POSTPONE TABLED

On motion of Rep. Clark (G), the motion offered by Rep. Holley that the House temporarily postpone consideration of the bill, H. 72 with Senate amendment, was tabled.

Yeas 49; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Brakefield, Cabaniss, Campbell, Carter, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dixon, Edwards, Gafford, Hammett, Harper (T), Holmes, Johnson (R. G.), Kennedy, Laird, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Pegues, Penry, Reed, Riddick, Roberts, Sandusky, Sasser, Smith (J), Smith (M), Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Whatley, Willis and Zoghby.

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Nays:

Reps. Boles, Buskey, Clark (W), Coburn, Holley, Howard, Johnson (Roy), Naramore, Olive, Smith (C), Trammell and Tucker.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 12. Relating to Franklin County; to provide for additional expense allowances for certain officials of said county and to provide for its retroactive effect.

Also:

S. 29. To repeal Act No. 452, S. 663, approved August 20, 1973, Regular Session 1973 (Acts 1973, p. 639), entitled "An Act Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census."

Also:

S. 30. Relating to Etowah County; to provide for deputy district attorneys for the county.

Also:

S. 51. To propose an amendment to the constitution to provide that the legislature may by local law, authorize the county governing body of Winston to further promote and provide forest fire protection within the county, assess in whole or part the cost thereof, by levying a tax on lands other than on ad valorem basis; it prescribes the manner for levying, collecting and distributing such assessments.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 22. Creating a feasibility study on agricultural marketing facilities by the Board of Agriculture and Industries.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 42. To establish the salary for the Sheriff of Jefferson County, Alabama: and to provide that the salary as fixed by this Act shall take effect at the beginning of the next term of office of said officer and the beginning of each term of office of said officer thereafter.

Also:

H. 49. To make a supplemental appropriation for salaries and other expenses for the use of the House of Representatives and the Alabama Senate for the fiscal year ending September 30, 1982, from the general fund of the state treasury.

Also:

H. 79. To amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, to extend said date until December 31, 1983.

Also:

H. J. R. 37. MOURNING THE TRAGIC DEATH OF THE
REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

Also:

H. 77. To propose an amendment to the Constitution of Alabama of 1901 which will authorize the Legislature to provide by law for the payment by the State of Alabama of expenses incurred by the Alabama Housing Finance Authority in the exercise of its powers, including expenses related to the issuance of its bonds and the use of the proceeds therefrom to make or acquire mortgage loans that are secured by mortgages on single and multifamily residential property located in the State, which will provide that, notwithstanding the payment of any such expenses by the State of Alabama, no bonds issued by the Alabama Housing Finance Authority shall be deemed to constitute an indebtedness of the State nor shall any action taken by the Alabama Housing Finance Authority be deemed to constitute a lending of money or credit by the State to any individual, association or corporation or a participation by the State in works of internal improvement, and which will provide that such amendment shall have no further force and effect after December 31, 1983.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 34. Relating to the state merit system; to further provide for the adoption of new classification and compensation plans for the state service, or changes in sick leave policies.

Also:

H. 61. To further amend Section 3.05 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, (Acts of 1955, Page 1004) as amended by Act 495, Section 2, Regular Session of the Legislature of Alabama 1973 (Acts of 1973, pages 727-728) providing for a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Also:

H. 104. Relating to Conecuh County; legalizing the sale of draft or keg beer or malt beverages, any laws to the contrary notwithstanding; and providing for the levy, collection and distribution of tax on such draft or keg beer or malt beverages.

Also:

H. 105. Relating to Colbert County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Also:

H. J. R. 36. PLEDGING TO STOP DRUGS AT THE SOURCE.

Also:

H. J. R. 39. COMMENDING AND CONGRATULATING ALABAMA STATE TROOPER ROY L. SANDERSON OF FAYETTE, ALABAMA.

Also:

H. J. R. 40. MOURNING THE DEATH OF COACH EDWARD PAUL TAYLOR OF TALLASSEE, ALABAMA.

Also:

H. J. R. 42. MOURNING THE DEATH OF DR. WILLIAM RUSSELL SUTTON, PROMINENT BLOUNTSVILLE, ALABAMA, PHYSICIAN AND CIVIC LEADER.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

H. 72 RESUMED

AMENDMENT ADOPTED

The question was again on the motion offered by Rep. Clark (G), that the House concur in and adopt the Senate amendment to the bill, H. 72, said Senate amendment being previously set out in a Message from the Senate, and the motion was adopted.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker, Adams (C), Barton, Bennett, Blake, Boles, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Grimsley, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, McMillan, Manley, Minus, Moore, Owens, Parker, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Williams, Willis, Wyatt and Zoghby.

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Nays: Reps. Naramore, Olive and Trammell.

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And the bill, H. 72 as thus amended, was again read at length and passed.

Yeas 85; Nays 8.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Payne, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—85

Nays:

Reps. Albright, Boles, Gafford, Howard, Naramore, Olive, Trammell and Wyatt.

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LEAVE OF ABSENCE

At the request of Rep. Venable, leave of absence was granted for Rep. Ray.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 71. To implement the provisions of an amendment to the Constitution of Alabama of 1901 authorizing the State of Alabama to become indebted

and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvements consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission to pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on said bonds; to create a bond commission with authority to determine the details of said bonds and to sell and issue the same; to provide for the terms, execution and issuance of said bonds; to provide for the investment and reinvestment of the proceeds of such bonds pending the disbursement thereof; to allocate the proceeds of said bonds, together with the investment income derived from said proceeds, to the purposes for which they are to be expended; to authorize the issuance of refunding bonds for the purpose of refunding any outstanding bonds issued pursuant to this Act; and to exempt from taxation in the State all bonds issued pursuant to this Act and the income therefrom.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Clark (G), the House concurred in and adopted the Senate amendment to the bill, H. 71, said Senate amendment being as follows:

Amend H. B. 71 in the Title, line 23, by inserting the word "streets," after the words "public roads" and before the word "highways"; further

Amend on page 9, in Section 8, line 27 by inserting the word "streets" after the words "public roads" and before the word "highways".

Further amend the bill on page 9, in Section 8, line 33 by inserting after the word "county" the word "roads" and by striking the words "city roads" and substituting in lieu thereof the words "municipal streets".

Further amend the bill on page 9, in Section 8, line 35 by inserting the word "streets" after the words "public roads" and before the word "highways".

Further amend the bill on page 10, in Section 8, line 5, by adding the word "roads" after the word "county" and striking the words "city roads" and inserting in lieu thereof the words "municipal streets".

Further amend the bill on page 18 in Section 8, line 15 by inserting the word "roads" after the word "county" and by striking the words "city roads" and substituting in lieu thereof the word "municipality".

Further amend on page 18, in section 8 line 33 by striking the word "city" and substituting in lieu thereof the word "municipality"

Further amend page 19, line 9 by striking the word "city" and substituting in lieu thereof the word "municipality".

Further amend on page 19, line 12 by striking the word city and substituting the word "municipality".

Further amend on page 19, line 21, by striking the word "city" and substituting in lieu thereof the word "municipality".

Further amend on page 19, line 23 by striking the word "city" and inserting in lieu thereof the word "municipality".

Further amend on page 19, line 34 by striking the word "cities" and inserting in lieu thereof the word "municipalities".

In Section 4, page 5, line 34, insert the following new paragraph:

For the purpose of paying the principal and interest on this bonded indebtedness, the Commission shall designate at least two banks, one or more within the State of Alabama and one or more within the City of New York. Funds for the payment of debt service shall be transferred by the State to the Alabama paying agent bank, two business days prior to actual due date of the principal and interest.

Amend H. B. 71, page 26, line 13, by striking the words "without limitation"

Amend H. B. 71 page 8, line 24, after the word "invested" by inserting the following:

"by the State Treasurer"

Amend H. B. 71 page 2, line 18, after the word "State" by inserting the following:

"the interest on"

Amend H. B. 71 page 27, line 23 by striking the words "their transfer"

Further amend H. B. 71 page 27, line 24 after the word "thereon" by inserting a parentheses and striking the words "and any profits made on the sale thereof"

Amend House Bill 71, page 9, Section 8, beginning with Line 27 through Line 6 on Page 10 to read as follows:

"Section 8. Public Roads, Streets, Highways and Bridges. Bond Proceeds and Investment Income in the amount of three hundred million dollars (\$300,000,000) are hereby appropriated and allocated to the State Highway Department for payment of the costs of the planning, acquisition, construction and improvement of public roads, streets, highways, bridges and installation and maintenance of automatic signals at highway-rail grade crossings

to the extent necessary to assure that all federal funds allocated to the state for grade crossing protection shall be matched and that no such funds will revert to the federal government because of failure to match by the state, provided that ten percent (10%) of the moneys appropriated and allocated to the State Highway Department shall be used to pay the costs of county roads, municipal streets, highways, bridges and grade crossing protections in accordance with the conditions hereinafter provided. The specific projects for the planning, acquisition, construction and improvement of public roads, streets, highways and bridges which are to be financed in full out of the Bond Proceeds and Investment Income hereby allocated to the State Highway Department (excluding 10% portion thereof to be used for county roads, municipal streets, highways and bridges) shall include, but shall not be limited to, the following described projects:"

Amend H. B. 71 by adding the following paragraph to the end of Section 8 on line 10, page 20:

It is the legislative intent that each of the highway, road and bridge projects enumerated and listed in this section shall be completed in their entirety and if sufficient funds are not provided for by the provisions of this act, then said projects shall be completed out of any other funds appropriated to the use of the State Highway Department during the current or any future fiscal year.

Amend House Bill No. 71 Page 23 Line 30, by striking out "the period" after the word "appropriate" and adding the following ", provided however that no funds shall be expended pursuant to this section unless the plans for construction or renovation have been certified by the State Fire Marshall and State Building Commission to provide for access to and for the physically handicapped. Provided further that this section shall be expressly exempt from the wavier provisions contained in Sections 21-4-4 and 21-4-5 Code of Alabama 1975."

Yeas 75; Nays 9.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cooley, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, McMillan, Minus, Mitchell, Moore, Owens, Parker, Patton, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Turner, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—75

Nays:

Reps. Albright, Boles, Howard, Manley, Naramore, Olive, Trammell, Tucker and Wyatt.

—9

H. 71. To implement the provisions of an amendment to the Constitution of Alabama of 1901 authorizing the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities

and works of internal improvements consisting of (i) public roads, streets, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; to pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on said bonds; to create a bond commission with authority to determine the details of said bonds and to sell and issue the same; to provide for the terms, execution and issuance of said bonds; to provide for the investment and reinvestment of the proceeds of such bonds pending the disbursement thereof; to allocate the proceeds of said bonds, together with the investment income derived from said proceeds, to the purposes for which they are to expended; to authorize the issuance of refunding bonds for the purpose of refunding any outstanding bonds issued pursuant to this Act; and to exempt from taxation in the State the interest on all bonds issued pursuant to this Act and the income therefrom.

As thus amended, was again read at length and passed.

Yeas 79; Nays 7.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Tucker, Turner, Venable, Waggoner, Ward, Whatley, Williams, Willis and Zoghby.

—79

Nays:

Reps. Albright, Boles, Gafford, Naramore, Olive, Trammell and Wyatt.

—7

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Joint Resolution and returns same herewith to the House:

H. J. R. 41. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN CONSTITUTIONAL AMENDMENTS PROPOSED AT THE 1981 REGULAR SESSION AND THE FIRST, SECOND AND THIRD SPECIAL SESSIONS OF THE LEGISLATURE; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION, SETTING SUCH ELECTION.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Venable the House non-concurred in the Senate amendment to the resolution, H. J. R. 41, and requested a Committee on Conference on the disagreement of the two Houses to the Senate amendment, said Senate amendment being as follows:

PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN CONSTITUTIONAL AMENDMENTS PROPOSED AT THE 1981 THIRD SPECIAL SESSION OF THE LEGISLATURE; PROVIDING THAT ALL OTHER CONSTITUTIONAL AMENDMENTS PROPOSED AT THE 1981 REGULAR SESSION AND THE FIRST AND SECOND SPECIAL SESSIONS OF THE LEGISLATURE BE HELD AT THE NEXT PRIMARY ELECTION AFTER FINAL ADJOURNMENT OF THE 1982 REGULAR SESSION; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon the amendments proposed by the 1981 Third Special Session be held on the first Tuesday after the expiration of ninety (90) days following adjournment of the 1981 Third Special session, provided, however, that if the date for such election should fall on March 9, 1982, the election shall instead be held on March, 1982.

BE IT FURTHER RESOLVED, That all other Constitutional Amendments proposed at the 1981 Regular Session and the First and Second Special Sessions of the legislature be held at the next primary election after final adjournment of the 1982 Regular Session.

RESOLVED FURTHER, That Act No. 81-673, H. J. R. 377 of the 1981 Regular Session, designating November 2, 1982, for elections on proposed constitutional amendments, is hereby specifically repealed and rescinded.

RESOLVED FURTHER, That copies of this resolution shall be sent forthwith by the Clerk of the House to the Governor and the Secretary of State.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Boles, Brakefield, Buskey, Campbell, Carothers, Carter, Cates, Cheatwood,

Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Ford, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Holmes, Howard, Johnson (R. G.), Kennedy, Langford, McKee, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Pegues, Penry, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Stewart, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Whatley, Williams, Willis, Wyatt and Zoghby.

—70

Nay: Rep. Sandusky.

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 96. To provide that the Judge of Probate of Escambia County shall be compensated on a salary basis and to prescribe the amount of such salary; to provide for a minimum number of employees who shall serve at the pleasure of said Judge and to provide for reimbursement of all expenses incurred in the official operation of the office.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Warren, the House concurred in and adopted the Senate amendment to the bill, H. 96, said Senate amendment being as follows:

Amend H. 96 as follows:

On page one, in the title, in line 10, after the word "for" delete the words:
"a minimum number of"

On page one, delete in its entirety Section 2 and insert in lieu thereof the following:

Section 2. The Judge of Probate is hereby authorized to employ a chief clerk and in addition thereto up to nine clerks to carry out the duties of the office; thereafter, upon authorization of the county governing body, additional clerks shall be appointed by the Judge of Probate as needed. All such clerks shall serve at the pleasure of the Judge of Probate.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Brakefield, Campbell, Carothers, Cheatwood, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Holmes, Howard, Johnson (R. G.), Johnson (Roy), Langford, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Owens, Patton, Pegues, Penry, Reed, Roberts, Shoemaker, Stewart, Tucker, Turner, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 96. To provide that the Judge of Probate of Escambia County shall be compensated on a salary basis and to prescribe the amount of such salary; to provide for employees who shall serve at the pleasure of said Judge and to provide for reimbursement of all expenses incurred in the official operation of the office.

As thus amended, was again read at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Gafford, Gilmer, Grimsley, Hall, Hammett, Harper (O), Harper (T), Holmes, Johnson (R. G.), Johnson (Roy), Langford, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Patton, Pegues, Penry, Roberts, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 85. Relating to Escambia County, providing for the payment of one-third of the moneys received by Escambia County under the provisions of Act No. 2, General Acts 1945, page 20, and under Act No. 2057, General Acts 1971, page 3317 (Sections 40-20-1 through 40-20-13, 1975 Code of Alabama) to the Escambia County Board of Education; to provide for its use; to provide a method for its distribution; and to repeal Local Act No. 344, Acts of Alabama 1953, page 407, Local Act No. 883, Acts of Alabama 1978, page 1312, Local Act No. 612, Acts of Alabama 1978, page 869, and Local Act No. 894, Acts of Alabama 1978, page 1330, and all other acts in conflict.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Warren, the House concurred in and adopted the Senate amendment to the bill, H. 85, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing for the payment and distribution of net monies received from severance tax and privilege tax on oil and gas

received under any general or local law; providing for the distribution of such funds received pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975; providing for the distribution and allocation of said taxes from the State of Alabama; providing further for the use of all such funds received in Escambia County; authorizing certain other expenditures therefrom; providing for the allocation thereof for educational purposes; providing funds from such revenues for the construction of an elevator in the county courthouse and the construction of and equipment and supplies for the Escambia County Jail; creating the Escambia County Courthouse and County Jail Trust Fund for the funds and administration thereof for such construction, equipment and supplies; authorizing the investment of certain funds therefor; providing further for the distribution of a portion of such funds, pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, to the Escambia County Industrial Development Authority and providing that any unexpended monies therefrom shall revert to the county general fund; to make certain provisions of the act retroactive; to specifically repeal: Act No. 344, H. 679 of the 1953 Regular Session (Acts 1953, p. 407); Act No. 883, S. 771 of the 1978 Regular Session (Acts 1978, p. 1312); and Act No. 612, H. 1141 of the 1978 Regular Session (Acts 1978, p. 869), all relating to the distribution and allocation of net funds from severance taxes on oil and gas; and providing for the effective operations of the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. One-third of all net funds received by Escambia County from the severance tax levied pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, shall be paid as received to the Escambia County Board of Education, to be used for educational purposes and to be distributed as follows: Each Board of Education, now in existence or hereafter created in Escambia County, shall receive a pro rata share of said moneys based upon the relation its average enrollment in its schools during the preceding school year bears to the average enrollment of all the public schools in Escambia County.

Section 2. An amount equal to one-tenth of the net funds received by Escambia County pursuant to Sections 40-20-1 through 40-20-13 of the Code of Alabama 1975, or one hundred thousand dollars (\$100,000) of such funds, whichever is the lesser, shall be appropriated by the Escambia County governing body from the county general fund to the Escambia County Industrial Development Authority, created by Act No. 894, S. 773 of the 1978 Regular Session (Acts 1978, p. 1330). Any such monies which are not expended by the said authority by September 30, 1982, and each September 30th thereafter, shall at the request of the Escambia County governing body be returned to the general fund of the county.

Section 3. (a) An amount equal to ten percent of the total of all net funds received, pursuant to any severance tax as privilege tax on oil and gas under any general or local law whatsoever, shall be deposited in the county treasury designated for the "Escambia County Courthouse and County Jail Trust Fund" which trust fund is hereby created. The county governing body shall cause such funds to be invested at the best return of interest in the manner allowed by law. The county governing body shall be responsible to utilize the interest from such investments first for the installation of an elevator in the Escambia County Courthouse; thereafter the interest from such investments shall be paid by the county governing body for the construction, equipping and supplying of the Escambia County Jail. The county governing body is authorized to enter into contracts and make purchases reasonably necessary to implement the provisions of this section and for

administering the Escambia County Courthouse and County Jail Trust Fund. Within sixty (60) days after payment in full for all costs for the said elevator and county jail by the county governing body, the said Escambia County Courthouse and County Jail Trust Fund shall be dissolved and all funds remaining, including the original corpus established by this section, shall revert to the county general fund.

(b) The provisions of this section shall become effective immediately upon the first receipt of funds by Escambia County pursuant to Act No. 79-434, H. 148 of the 1979 Regular Session (Acts 1979, p. 687).

Section 4. The remainder of all revenues paid to Escambia County pursuant to any severance tax or privilege tax on oil and gas, under any general or local law whatsoever, not otherwise herein allocated, distributed or designated shall be deposited in the county general fund for the general purposes of the county.

Section 5. Act No. 344, H. 679 of the 1953 Regular Session (Acts 1953, p. 407), Act No. 883, S. 771 of the 1978 Regular Session (Acts 1978, p. 1312) and Act No. 612, H. 1141 of the 1978 Regular Session (Acts 1978, p. 869) are hereby specifically repealed, and all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Section 6. The provisions of Section 2 of this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law; the provisions of Section 3 shall become effective as prescribed by Section 3 (b) of this Act; and all other provisions of this Act are made effective retroactively to October 1, 1980.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Carothers, Carter, Cheatwood, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Holmes, Johnson (R. G.), Langford, Lewis, McKee, McMillan, Moore, Naramore, Owens, Penry, Roberts, Smith (C), Smith (J), Stewart, Trammell, Turner, Waggoner, Warren, Whatley, Willis and Wyatt.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 85. Relating to Escambia County; providing for the payment and distribution of net monies received from severance tax and privilege tax on oil and gas received under any general or local law; providing for the distribution of such funds received pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975; providing for the distribution and allocation of said taxes from the State of Alabama; providing further for the use of all such funds received in Escambia County; authorizing certain other expenditures therefrom; providing for the allocation thereof for educational purposes; providing funds from such revenues for the construction of an elevator in the county courthouse and the construction of and equipment and supplies for the

Escambia County Jail; creating the Escambia County Courthouse and County Jail Trust Fund for the funds and administration thereof for such construction, equipment and supplies; authorizing the investment of certain funds therefor; providing further for the distribution of a portion of such funds, pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, to the Escambia County Industrial Development Authority and providing that any unexpended monies therefrom shall revert to the county general fund; to make certain provisions of the act retroactive; to specifically repeal: Act No. 344, H. 679 of the 1953 Regular Session (Acts 1953, p. 407); Act No. 883, S. 771 of the 1978 Regular Session (Acts 1978, p. 1312); and Act No. 612, H. 1141 of the 1978 Regular Session (Acts 1978, p. 869), all relating to the distribution and allocation of net funds from severance taxes on oil and gas; and providing for the effective operations of the provisions of the Act.

As thus amended, was again read at length and passed.

Yeas 48; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Carothers, Carter, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Johnson (R. G.), Langford, Lewis, McKee, Moore, Naramore, Owens, Pegues, Penry, Reed, Roberts, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Warren, Whatley, Williams, Willis and Wyatt.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 95. Relating to Escambia County; providing further for the compensation and clerical assistance for the county tax assessor and the tax collector.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Warren, the House concurred in and adopted the Senate amendment to the bill, H. 95, said Senate amendment being as follows:

Amend H. B. 95 as follows:

On page 1, delete in its entirety Section 2, lines 19 through 32 and insert in lieu thereof the following:

Section 2. The tax assessor and the tax collector are hereby entitled to receive, as salary, \$28,500.00 per annum, respectively. The salaries provided

for in this Act shall be in lieu of any compensation heretofore provided by law. However, on the effective date of this Act, any earned fees and commissions shall be granted to said county officials with the first monies collected in October. The tax collector is hereby authorized to employ up to four assistants to aid in carrying out the duties of his office; the tax assessor is authorized to employ up to five assistants to aid in carrying out the duties of his office. Upon authorization by the county governing body each officer shall appoint additional clerks as needed. Provided, however, all assistants shall serve at the pleasure of the respective officer. The compensation and benefits of the aforementioned assistants shall be comparable to other county employees with related job titles.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cheatwood, Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Holmes, Howard, Johnson (R. G.), Laird, Langford, McKee, McMillan, Minus, Mitchell, Naramore, Olive, Owens, Pegues, Penry, Reed, Roberts, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Warren, Whatley, Williams, Willis and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 95 as thus amended, was again read at length and passed.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bowling, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dixon, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Holmes, Johnson (R. G.), Laird, Langford, McKee, McMillan, Minus, Moore, Naramore, Olive, Patton, Pegues, Penry, Reed, Roberts, Shoemaker, Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 82. To authorize the Blount County Commission to provide protection against forest fires within the county to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Harvey, the House concurred in and adopted the Senate amendment to the bill, H. 82, said Senate amendment being as follows:

Delete Section 3, page 2, lines 8 through 20, and insert in lieu thereof the following Section 3.

Section 3. The county governing body of Blount County is authorized to determine the area and owners thereof, and report the same to the Tax Assessor of Blount County who shall be authorized, after notice by mail to such owners, and hearing before the county governing body is requested by such owners, to place said financial charge or tax against the said forest land as may be determined. It shall be the responsibility of the Tax Assessor of Blount County to establish such rules and regulations as are necessary to administer the provisions of this Act.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Johnson (R. G.), Kennedy, Laird, Langford, McKee, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Pegues, Penry, Reed, Roberts, Sandusky, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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And the bill, H. 82 as thus amended, was again read at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (W), Coburn, Cosby, Crow, Daniels, Dial, Edwards, Grimsley, Grouby, Hall, Hammett, Harper (T), Holmes, Johnson (R. G.), Kennedy, Langford, McKee, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Patton, Pegues, Penry, Reed, Roberts, Sandusky, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 28. Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Keener, Mitchem, and deGraffenried.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Ford, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 28.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bennett, Blake, Bowling, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (G), Coburn, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Holmes, Johnson (R. G.), Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Patton, Pegues, Penry, Reed, Roberts, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House Reps. Ford, Harvey and Adams (H).

COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 41, Reps. Venable, Roberts and Clark (G).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDonald:

S. J. R. 34. COMMENDING THE UNITED STATES AND ALABAMA JAYCEES, AND REQUEST GOVERNOR FOB JAMES TO PROCLAIM THE WEEK OF JANUARY 17-23, 1982, AS "JAYCEE WEEK IN ALABAMA".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Pegues, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 34, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Messrs. Hilliard and Parsons:

S. J. R. 25. COMMENDING MRS. BEVERLY POOLE BAKER FOR OUTSTANDING ACADEMIC ACHIEVEMENT AND CIVIC INVOLVEMENT.

Also:

By Mr. Hilliard:

S. J. R. 26. COMMENDING THE BIRMINGHAM HERITAGE BAND, CONDUCTED BY BANDMASTER AMOS GORDON OF THE BIRMINGHAM'S JAZZ HALL OF FAME.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Escott, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 25 and S. J. R. 26, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cook:

S. J. R. 35. URGING THE ESTABLISHMENT OF A CENTER FOR APPLIED EDUCATIONAL RESEARCH AND DEVELOPMENT AT UAB.

WHEREAS there is a tremendous need in Alabama for long-term flexible and cooperative educational planning, and

WHEREAS there is a need for interdisciplinary planning for education, and

WHEREAS there is no uniform planning for education, kindergarten through the professional graduate schools, and

WHEREAS there presently does not exist an educational policy that coincides with the State of Alabama's economic development policies, and

WHEREAS with the prospects of limited financial growth to support functions of government, and

WHEREAS the University of Alabama in Birmingham has been designated by a previous Act to engage in long-range planning and report to the Legislature;

NOW THEREFORE BE IT RESOLVED that the Legislature of Alabama, both houses thereof concurring, requests that the University of Alabama in Birmingham strongly consider the establishment of a Center for Applied Educational Research and Development.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 35, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

Also:

H. 76. To appropriate ten million dollars (\$10,000,000) from income from the investment of certain moneys derived by the State from the leasing of rights in off-shore oil, gas and other hydrocarbon minerals for the support and encouragement of educational, agricultural, maricultural and industrial activities involving basic and applied scientific research and development.

Also:

H. 78. To appropriate six million dollars (\$6,000,000) from income from the investment of certain moneys derived by the State from the leasing of rights in off-shore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

Also:

H. 15. To amend Section 1 of Act No. 81-967 of the first special session of the Alabama Legislature in 1981 by further amending § 43-3-10 Code of Alabama 1975, which provides for descent and distribution of personalty.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Robertson, deGraffenried, Bailey, Barron, Britnell, Callahan, Cook, Denton, Figures, Glass, Goodwin, Gullede, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 29. MOURNING THE DEATH OF J. GORDON MADISON.

WHEREAS, this Legislature has been greatly saddened to learn of the death of J. Gordon Madison, a distinguished lawyer and public servant who died recently at a Tuscaloosa hospital after an extended illness at age 80; and

WHEREAS, Mr. Madison was born in Warwick County, Virginia, and was a descendent of this country's fourth president, James Madison; and

WHEREAS, he received his law degree from the University of Alabama in 1925 and practiced law in Tuscaloosa for twenty-seven years, before becoming an assistant attorney general in 1952; and

WHEREAS, he has served the people of this State in many capacities, including being elected to the State Senate in 1942, and serving as an assistant attorney general in a most distinguished capacity from 1952 through 1974 when he retired; and

WHEREAS, at the time of his retirement, the then attorney general, Bill Baxley, called Mr. Madison "one of the most brilliant and distinguished attorneys in the history of our State"; and

WHEREAS, this Legislature wishes to honor the memory of this great, but humble man for his long service to the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do mourn the death of J. Gordon Madison and express their most sincere and heartfelt sympathy to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his wife, Mrs. Loris C. Madison, of Tuscaloosa, his daughter, Mrs. Martha Madison Lewis and to his four sons, James G. Madison, Jr., Edward C. Madison, Richard F. Madison and Dan O. Madison.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Barton, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 29, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Denton:

S. J. R. 30. MOURNING THE RECENT DEATH OF JUDGE CLIFFORD KING DELONY OF TUSCUMBIA, ALABAMA.

Also:

By Messrs. Hall and Hilliard:

S. J. R. 33. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

Also:

By Messrs. Smith, McDonald, Holmes, Hall, Taylor and Lemaster:

S. J. R. 32. EXPRESSING THE LEGISLATURE'S PRIDE IN THE SECOND SUCCESSFUL LAUNCH AND FLIGHT OF THE HISTORIC COLUMBIA SPACE SHUTTLE.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On Motion of Rep. Coburn, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 30, the title of which is set out in the above and foregoing Message from the Senate.

The resolutions, S. J. R. 33 and S. J. R. 32, the titles of which are set out in the above and foregoing Message from the Senate, were read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor returning House Bill No. 20 without the Governor's signature and approval.

Respectfully submitted,
WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 18th day of November, 1981.

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 20, without my signature and approval and with the following suggested Executive Amendment:

From the Enrolled Act, on the second page, counting down to the fifth line of Section 3, after the word "annexation," delete the remainder of that sentence beginning with the word "at" and insert in lieu thereof the words "on the same date as the next statewide special election called by the Governor."

The Adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Respectfully,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. Hall, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 20, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Campbell, Carter, Cheatwood, Clark (W), Crow, Daniels, Dial, Dixon, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Holmes, Johnson (R. G.), Kennedy, Langford, Letson, Lewis, McMillan, Minus, Moore, Naramore, Pegues, Penry, Rains, Riddick, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Turner, Waggoner, Ward, Whatley, Williams, Willis, Wyatt and Zoghby.

—54

And the bill:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Campbell, Cheatwood, Coburn, Cosby, Crow, Daniels,

Dial, Gafford, Gilmer, Harper (O), Harper (T), Harvey, Holmes, Kennedy, Langford, Letson, Moore, Naramore, Olive, Owens, Pegues, Reed, Sandusky, Sasser, Shavers, Shoemaker, Starkey, Stewart, Turner, Waggoner, Ward, Whatley, Williams, Willis and Wyatt.

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 37. To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Mitchem, Parsons, and Keener.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 75. To propose an amendment to the Constitution of Alabama of 1901 that will authorize the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvement consisting of (i) public roads, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock

and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; that will authorize the refunding of said bonds through the sale and issuance of refunding bonds; that will pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on all bonds issued pursuant to said amendment; and that will provide certain terms and conditions with respect to the sale and issuance of bonds issued pursuant to said amendment.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Clark (G), the House concurred in and adopted the Senate amendment to the bill, H. 75, said Senate amendment being as follows:

Amend H. B. 75, in the title, page 1, in line 24, by inserting the word "streets," just after the words "public roads" and before the word "highways"; and

Further amend H. B. 75, on page 3, line 6, by inserting the word "streets," after the words "public roads" and before the word "highways".

Yeas 67; Nays 2.

Yeas:

Mr. Speaker, Adams (C), Albright, Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Owens, Patton, Pegues, Penry, Rains, Reed, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Venable, Ward, Whatley, Williams, Willis and Zoghby.

—67

Nays: Reps. Turner and Wyatt.

—2

And the bill:

H. 75. To propose an amendment to the Constitution of Alabama of 1901 that will authorize the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities

and works of internal improvement consisting of (i) public roads, streets, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; that will authorize the refunding of said bonds through the sale and issuance of refunding bonds; that will pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on all bonds issued pursuant to said amendment; and that will provide certain terms and conditions with respect to the sale and issuance of bonds issued pursuant to said amendment.

As thus amended, was again read at length and passed.

Yeas 81; Nays 6.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Bowling, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Dixon, Edwards, Escott, Ford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Tucker, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—81

Nays: Reps. Boles, Gafford, Naramore, Olive, Trammell and Wyatt. —6

RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. McCorquodale, Manley, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin,

Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. R. 46. COMMENDING JUDGE JOSEPH MONROE HOCKLANDER UPON HIS RETIREMENT AS PRESIDING JUDGE OF THE 13TH JUDICIAL CIRCUIT IN MOBILE, ALABAMA.

Also:

The following resolutions were introduced:

By Reps. McCorquodale, Manley, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 47. COMMENDING JUDGE JOSEPH MONROE HOCKLANDER UPON HIS RETIREMENT AS PRESIDING JUDGE OF THE 13TH JUDICIAL CIRCUIT IN MOBILE, ALABAMA.

WHEREAS, the Legislature of the State of Alabama notes with regret the announced retirement of the Honorable Joseph Monroe Hocklander as Presiding Judge of the 13th Judicial Circuit in Mobile, Alabama; and

WHEREAS, Judge Hocklander's November 30, 1981, retirement will bring to a close his brilliant career as one of Alabama's most distinguished jurists since 1961; and

WHEREAS, a former member of the Alabama House of Representatives, Judge Hocklander served in the Legislature from 1959 until his appointment to the bench and he has served the Circuit as Presiding Judge since 1969; and

WHEREAS, a Mobile native and lifelong resident of that City, Judge Hocklander is a graduate of the University of Alabama and of the University's School of Law; he also is a 1965 graduate of the National College of State Trial Judges and was named to the faculty of the college in 1967; and

WHEREAS, he is a member of the State Federal Judicial Council and the Alabama Court of the Judiciary, and has served on the Alabama Supreme Court advisory committees on Rules of Civil Procedure and on Judicial Ethics; he also currently serves on the executive committee of the National

Conference of State Trial Judges and is a past president of both the Alabama Circuit Judges Association and the International Academy of Trial Judges; and

WHEREAS, Judge Hocklander is a World War II veteran of the 82nd Airborne Division, past commander of the Francis C. Myers Post of the American Legion, a Mason and a communicant of St. Paul's Episcopal Church of Mobile; and

WHEREAS, he is a member or former member of numerous civic and charitable organizations, and has long served his community and state through responsible involvement and outstanding achievement; Judge Hocklander also is professionally affiliated with the Mobile County, Alabama, and American Bar Association; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES CONCURRING, That we most highly commend and honor Judge Joseph Monroe Hocklander on his distinguished judicial career, and extend our warm best wishes for every future success.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Judge Hocklander that he may know of our warm sincere praise, deep appreciation and esteem.

On motion of Rep. McCorquodale, the rules were suspended and the resolution, H. J. R. 47, was adopted.

Also:

By Reps. Dial, McCorquodale, Manley, Shoemaker, Cates, Pegues, Holley, Johnson (R. G.) and Smith (J):

H. J. R. 48. DIRECTING THE COMMISSIONER OF THE DEPARTMENT OF REVENUE TO WITHDRAW THE NEW PROPERTY TAX REASSESSMENT PLAN RECENTLY PROMULGATED.

WHEREAS, a recent property tax reassessment plan of the Commissioner of Revenue utilizes a formula for the evaluation of residential property in our state using 6.0 as an index rate; and

WHEREAS, with the implementation of this new ruling of the Commissioner, taxes would automatically increase some 25 percent for the average residential property owner in Alabama; and

WHEREAS, in rebuttal of the 6.0 index plan the legislature contends that the formula is improper in that such costs as discount points and real estate commissions are included in the evaluation for tax assessments; and

WHEREAS, it is conservatively estimated that such a plan will increase taxes of Alabamians some \$125 million without legislative approval or action of any kind; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby direct the Commissioner of Revenue to withdraw the new property tax reassessment plan and to continue to allow property to be taxed at the value as assessed for 1980-81.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded forthwith to the Commissioner of Revenue and to Governor Fob James.

MOTION TO SUSPEND RULES AND ADOPT LOST

The motion offered by Rep. Dial to suspend the rules and adopt the resolution, H. J. R. 48, was lost, lacking a four-fifths vote.

Yeas 58; Nays 23.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Blake, Brakefield, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Ford, Gilmer, Grimsley, Grouby, Hall, Harper (O), Harper (T), Harvey, Holley, Johnson (R. G.), Laird, Letson, McKee, McMillan, Manley, Minus, Mitchell, Olive, Owens, Parker, Pegues, Penry, Rains, Reed, Riddick, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Turner, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—58

Nays:

Reps: Albright, Amari, Bennett, Boles, Bowling, Buskey, Cabaniss, Clark (W), Escott, Holmes, Horn, Howard, Johnson (Roy), Langford, Lewis, Naramore, Payne, Sandusky, Seibels, Trammell, Tucker, Waggoner and Zoghby.

—23

The resolution, H. J. R. 48, was read and referred to the Standing Committee on Rules.

CO-SPONSORS ADDED

The following were added as co-sponsors to the resolution, H. J. R. 48:

Reps. Adams (C), Barton, Blake, Boles, Bowling, Brakefield, Buskey, Carothers, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Daniels, Dixon, Edwards, Escott, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Holmes, Howard, Laird, Langford, McKee, McMillan, Minus, Mitchell, Moore, Olive, Owens, Parker, Patton, Penry, Rains, Reed, Sandusky, Sasser, Seibels, Shavers, Stewart, Trammell, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Hall, Albright and Riddick:

H. R. 49. COMMENDING MR. WILLIS SPEED KASTORFF OF MADISON COUNTY FOR OUTSTANDING ACHIEVEMENT IN THE FIELD OF FIRE PROTECTION.

Also:

By Reps. Hall, Albright and Riddick:

H. R. 50. COMMENDING FRANCIS LAFAYETTE CABANISS, JR.

Also:

The following resolution was introduced:

By Reps. Penry and McMillan:

H. J. R. 51. COMMENDING DR. AMOS GARRETT, ROBERTSDALE, ALABAMA, PROMINENT DENTIST AND CIVIC LEADER.

WHEREAS, the Alabama legislature desires to recognize outstanding Alabamians whose numerous and singular accomplishments inspire and motivate their fellowman; and

WHEREAS, Dr. Amos Garrett, the son of M. L. and Sarah Garrett, was born in 1894 in a log cabin in the wooded pine setting at Pigeon Creek, Alabama, where the hardships of pioneers were a way of life and the ravages of nature daily combatants, including typhoid fever and the boll weevil which destroyed his family lumber mill and farm; and

WHEREAS, Dr. Amos Garrett was a product of Red Level School and attended Newton College where he met and married the beautiful Sarah Foshee; and

WHEREAS, after teaching school and working in the shipyards to finance his education, Dr. Amos Garrett and his family moved to Atlanta, Georgia, where he fulfilled a life-long dream to pursue a vocation in dentistry; and

WHEREAS, Dr. Amos Garrett entered the Atlanta Southern Dental College (now Emory University), from which he received his degree as Doctor of Dental Surgery in 1923; and

WHEREAS, the Garrett family moved to Robertsedale, Alabama, where Dr. Amos Garrett opened his dental office where he has practiced for 52 years; and

WHEREAS, Dr. Amos Garrett has contributed immeasurably to the betterment of his fellow citizens by his dedication to government improvement; and

WHEREAS, in 1932 Dr. Amos Garrett was elected and served as mayor of Robertsedale for fourteen years during which period he led the town from near bankruptcy to a then very respectable surplus of \$70,000; and

WHEREAS, Dr. Amos Garrett served with distinction on the Robertsedale School Board and the Baldwin County Board of Equalization; and

WHEREAS, over the years Dr. Amos Garrett has belonged to numerous charitable and civic organizations, including the Masonic Lodge and the Shrine, the Alabama and American Dental Associations; and

WHEREAS, Dr. Amos Garrett was recognized by receiving the Silver and the Golden Certificates in dentistry practice; the "Scroll of Merit," for his warm interest in helping disadvantaged citizens, was bestowed by the Independent newspaper; and the State of Alabama named Garrett Park in his honor for his many contributions and his generosity in donating real property to the State for State Parks and for the enjoyment of future generations; and

WHEREAS, Dr. Amos Garrett, now almost 88 years young, leads a very energetic schedule daily and remains active in the buying and selling of real

estate and enjoying his fine family, which includes his beloved wife, Sarah, two daughters, eleven grandchildren and eleven great grandchildren; and

WHEREAS, December 12, 1981, has been designated Dr. Amos Garrett Day in Robertsedale, Alabama, so that his neighbors and legendary numbers of friends may honor him; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we do most highly commend Dr. Amos Garrett for his outstanding achievements and the sharing of his many talents and energies for the betterment of all Alabamians, and direct that a copy of this resolution be sent to him so that he may know of our high praise and esteem.

On motion of Rep. Penry, the rules were suspended and the resolution, H. J. R. 51, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Rains:

H. R. 52. COMMENDING TERRI GIBBS, COUNTRY MUSIC'S "MOST TALENTED NEWCOMER."

Also:

By Reps. Mitchell and Clark (G):

H. R. 53. HONORING JUDGE ROBERT H. KIRKSEY UPON HIS RETIREMENT AS PROBATE JUDGE OF PICKENS COUNTY.

Also:

The following resolutions were introduced:

By Reps. Mitchell and Clark (G):

H. J. R. 54. HONORING JUDGE ROBERT H. KIRKSEY UPON HIS RETIREMENT AS PROBATE JUDGE OF PICKENS COUNTY.

WHEREAS, it is with utmost commendation that the Legislature of Alabama notes the impending retirement on November 30, 1981, of Judge Robert H. Kirksey as Judge of Probate of Pickens County; and

WHEREAS, Judge Kirksey graduated from the Citadel in Charleston, South Carolina, received his L.L.B. from the University of Alabama Law School in Tuscaloosa and is a Past President of the University of Alabama National Alumni Association; and

WHEREAS, among his numerous prestigious awards, he was the recipient of the Judge Cochran Award for Outstanding Public Service in West Alabama, the 1980 Distinguished Alumni Award of the University of Alabama, and was the first recipient of the Aliceville, Alabama Outstanding Citizen Award; and

WHEREAS, Judge Kirksey has long been civily active by admirably spearheading the campaign to build a new Pickens County Hospital and through his tireless efforts to obtain a new bridge over the Tennessee-Tombigbee Waterway at Pickensville; and

WHEREAS, in addition to serving his community, his distinguished and brilliant career has contributed greatly to the betterment of the citizens of the State in his capacity as President of the Probate Judges Association of Alabama; and

WHEREAS, his long-standing, active participation in the Alabama Alumni Association has recently culminated in his appointment as Executive Director of the University of Alabama Office of Alumni Affairs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly praise and commend Judge Robert H. Kirksey both on his brilliant career and for his deep civic involvement prompted through care and concern for his community and its citizens.

BE IT FURTHER RESOLVED, That we wish his continued success and happiness in his retirement and direct that he receive a copy of this resolution as evidence of our high praise and regard.

On motion of Rep. Mitchell, the rules were suspended and the resolution, H. J. R. 54, was adopted.

Also:

By Reps. Stout, Shavers and Hall:

H. J. R. 55. COMMENDING MR. CECIL BRADDEN WORD, PROMINENT NORTH ALABAMA BUSINESSMAN AND CIVIC LEADER.

WHEREAS, the Legislature of Alabama today notes with deep appreciation the numerous outstanding accomplishments of Mr. Cecil Bradden Word and his many notable contributions to his native Northeastern area of Alabama and to our entire state; and

WHEREAS, as a highly successful industrialist and businessman, Mr. Word is president of the W. J. Word Lumber Company in Scottsboro and of Word Building Supply Company in Rainsville; he also is a past president of Val-Monte Shores Resort in Guntersville, vice president of the Scottsboro Holiday Inn and of the First National Bank, also in Scottsboro; and

WHEREAS, his involvements extend further to include the banking and insurance industries as well as the civic, charitable and educational affairs of his community and state; and

WHEREAS, Mr. Word's deep dedication to serving others, though varied and extensive in scope, is perhaps most evident through his loyal and longtime support of educational advantages for our state's youth; and

WHEREAS, during his tenure on the State Board of Education, Mr. Word was successful, through unceasing effort, in the establishment of the Northeast Alabama State Junior College thereby providing an opportunity for thousands of area residents to acquire the higher education and skills necessary for future achievement and success in life; and

WHEREAS, in acknowledgment and appreciation of his role in the establishment of the college, and through actions of the Alabama State Board of Education, the Learning Resources Center on the school's campus recently was named in honor of Mr. Word; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mr. Cecil Bradden Word of Scottsboro, Alabama, and voice our deep appreciation for his dedicated contributions and service to humanity.

BE IT FURTHER RESOLVED, That Mr. Word receive a copy of this resolution with copies also provided for his daughters, Betty Jane Whatley, Peggy C. Holland and Stella Alice Benson, that they may know of our deep admiration for one of our State's most distinguished citizens.

On motion of Rep. Stout, the rules were suspended and the resolution, H. J. R. 55, was adopted.

Also:

By Rep. Smith (C):

H. J. R. 56. CREATING AN INTERIM COMMITTEE ON NEW GUIDELINES OF THE FARMER'S HOME ADMINISTRATION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to be known as the Farmer's Home Administration Guideline Interim Study Commission, which shall be composed of six members, three from the house and three from the senate, appointed by their respective presiding officers. The committee shall study any new guidelines of the Farmer's Home Administration as such guidelines might affect the farmers of this State. The committee shall report its findings to the Legislature no later than the 20th legislative day of the 1982 Regular Session.

The members shall select from among their numbers a chairman. The committee shall meet on such dates and at such locations as may be called for by the chairman. The members shall receive their regular legislative per diem, compensation and mileage for each day's attendance at a meeting of the committee, except that if the meeting day falls on the same day that a member is otherwise so compensated for another committee meeting or legislative session, he shall not be so compensated under this resolution.

The committee is hereby limited to a budget of \$5,000.00, and such sum or so much thereof as is necessary is hereby appropriated from legislative funds available for such purposes for the work of the committee.

On motion of Rep. Smith (C), the rules were suspended and the resolution, H. J. R. 56, was adopted.

Also:

By Rep. Gafford:

H. R. 57. CREATING THE ANNUAL JOHN MAYNARD KEYNES ECONOMIC LEADER AWARD AND HONORING GOVERNOR FOB JAMES AS THE RECIPIENT FOR 1981.

WHEREAS, the state and nation are moving into an economic recession; and

WHEREAS, President Reagan has forecast that the recession will be worse before the economy turns around; and

WHEREAS, the State of Alabama is hard hit by the recession; and

WHEREAS, it was noted in the Montgomery Advertiser for Monday, November 16, 1981, that Governor James "has turned to none other than John Maynard Keynes for direction"; and

WHEREAS, Governor James, with cool logic, has not embraced the Reaganomic approach of a tax cut and reduced government spending for Alabama but has taken the high road to economic recovery with his plan to borrow over 500 million dollars to fund public works projects in Alabama; and

WHEREAS, the nation would be well served to look to Alabama for leadership in "turning the economy around"; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That there is hereby established the Annual John Maynard Keynes Economic Leader Award and that the recipient for 1981 is Governor Fob James for his plan to use the oil windfall money as security in his plan to borrow over 500 million dollars for public works projects in Alabama.

BE IT FURTHER RESOLVED, That copies of this resolution be sent as soon as possible to President Ronald Reagan and the entire Alabama Congressional Delegation so that the Fob James solution will be known to them as they face the problem on a national level.

The resolution, H. R. 57, was read and referred to the Standing Committee on Rules.

S. J. R. 17 TAKEN UP

The resolution, S. J. R. 17, which was postponed on the seventh legislative day with pending amendment, was taken up.

SUBSTITUTE AMENDMENT OFFERED

Rep. Holmes offered the following substitute amendment to the amendment offered by him on the seventh legislative day to the resolution, S. J. R. 17:

Amend Senate Joint Resolution 17 on page 2, line 11 by inserting the following:

Any member of the House of Representatives may attend and participate in any meeting of the Committee or Subcommittee and shall receive his regular per diem and travel expenses for each day he attends; provided, however, that it is approved by the Speaker of the House.

SUBSTITUTE AMENDMENT TO SUBSTITUTE AMENDMENT OFFERED

Rep. Holley offered the following substitute amendment to the substitute amendment offered by Rep. Holmes to the resolution, S. J. R. 17:

Amend S. J. R. 17 by adding on page 1, line 25 after the word "House". the following:

When said committee shall convene in a congressional district any member of the Alabama Legislature with the consent of the Chairman or Vice Chairman shall be allowed to participate in said hearing as though said member was a fully endowed member of the block grant committee during the hearings within his congressional district.

RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Manley, further consideration of the resolution, S. J. R. 17 with pending amendment and substitute amendments, was temporarily postponed.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 85. Relating to Escambia County; providing for the payment and distribution of net monies received from severance tax and privilege tax on oil and gas received under any general or local law; providing for the distribution of such funds received pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975; providing for the distribution and allocation of said taxes from the State of Alabama; providing further for the use of all such funds received in Escambia County; authorizing certain other expenditures therefrom; providing for the allocation thereof for educational purposes; providing funds from such revenues for the construction of an elevator in the county courthouse and the construction of and equipment and supplies for the Escambia County Jail; creating the Escambia County Courthouse and County Jail Trust Fund for the funds and administration thereof for such construction, equipment and supplies; authorizing the investment of certain funds therefor; providing further for the distribution of a portion of such funds, pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, to the Escambia County Industrial Development Authority and providing that any unexpended monies therefrom shall revert to the county general fund; to make certain provisions of the act retroactive; to specifically repeal: Act No. 344, H. 679 of the 1953 Regular Session (Acts 1953, p. 407); Act No. 883, S. 771 of the 1978 Regular Session (Acts 1978, p. 1312); and Act No. 612, H. 1141 of the 1978 Regular Session (Acts 1978, p. 869), all relating to the distribution and allocation of net funds from severance taxes on oil and gas; and providing for the effective operations of the provisions of the Act.

Also:

H. 95. Relating to Escambia County; providing further for the compensation and clerical assistance for the county tax assessor and the tax collector.

Also:

H. 96. To provide that the Judge of Probate of Escambia County shall be compensated on a salary basis and to prescribe the amount of such salary; to provide for employees who shall serve at the pleasure of said Judge and to provide for reimbursement of all expenses incurred in the official operation of the office.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Joint Resolution:

H. J. R. 41. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN CONSTITUTIONAL AMENDMENTS PROPOSED AT THE 1981 REGULAR SESSION AND THE FIRST, SECOND AND THIRD SPECIAL SESSIONS OF THE LEGISLATURE; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION, SETTING SUCH ELECTION.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Teague, McDonald, and Higginbotham.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Clark (G), the House non-concurred in the Senate amendment to the bill, H. 73 and requested a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 73, said Senate amendment being as follows:

Amend the bill in the Synopsis, page 1, on line 13 by striking the date "January 1" and substituting in lieu thereof the date "September 30".

Further amend the bill in the Title, page 1, on line 24 by striking the date "January 1" and substituting in lieu thereof the date "September 30".

Further amend the bill in Section 1, page 2, on line 17 by striking the date "January 1" and substituting in lieu thereof the date "September 30".

Further amend the bill in Section 1, page 2, on line 37 by striking the date "January 1" and substituting in lieu thereof the date "September 30".

Further amend the bill in Section 2, page 3, on line 13 by striking the date "January 1" and substituting in lieu thereof the date "September 30".

Further amend the bill in Section 5, page 4, on line 25 by striking the date "January 1" and substituting in lieu thereof the date "September 30".

Amend House Bill 73, Section 4, page 4, line 14, by adding after the word "by" the words "the Governor and".

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (G), Clark (W), Cobb, Cosby, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Grimsley, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Hines, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Mitchell, Moore, Nevett, Olive, Owens, Parker, Pegues, Rains, Reed, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Williams, Willis and Zoghby.

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COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House Reps. Clark (G), Drinkard and Manley.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL 37

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the H. B. 37 have met, considered the bill, and have agreed to the following report:

We recommend that the bill be substituted as follows and then passed by both houses:

Respectfully submitted,

ERIC O. CATES, JR.,

W. J. CABANISS, JR.,

BILL DRINKARD,

Conferees on the part of the House.

HINTON MITCHEM,

MAC PARSONS,

LARRY KEENER,

Conferees on the part of the Senate.

A BILL
TO BE ENTITLED
AN ACT

To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to provide for published notice of meetings of the authority; to provide that a majority of a quorum present and voting shall be sufficient for any corporate action; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to amend Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

Be It Enacted by the Legislature of Alabama:

Section 1. § 24-1A-4 of the Code of Alabama 1975, is hereby amended to read as follows:

"§ 24-1A-4.

"(a) The applicants named in the application and their respective successors in office together with the appointments made by the speaker of the house and the lieutenant governor, respectively, shall constitute the members of the authority. The speaker of the house shall appoint two members to the board of directors and the lieutenant governor shall appoint two members to the board of directors. The governor shall, as soon as convenient after the passage of this chapter, appoint one person from each of the now existing seven congressional districts as members of the authority, and at the expiration of the terms for which they are appointed or the existence of a vacancy, their successors. Each member and/or successor shall be a citizen of the state, of good reputation and at the time of their appointment two of such members shall be engaged in the business of home building, two shall be licensed real estate brokers, who are not in the business of home building; one shall be engaged in the business of lending money on the security of mortgages on residential property or the officer or employee of a mortgage lender; one shall be an elected commissioner of a county in the state; and one shall be an elected mayor of a municipality. The members first appointed shall be appointed for terms of one, two, three, four, five, six and seven years respectively, and the governor in the appointment shall designate the expiration date of the term of the member. The members appointed by the speaker of the house shall be appointed for three and five year terms and the members appointed by the lieutenant governor shall be for four and six year terms, each commencing January 1, 1982. Their respective successors shall be appointed for the remainder of any unexpired term or, if appointed at the expiration of a term, for terms of seven years. Each member shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. A member, director or officer of the authority may be impeached or removed from office in the same manner and on the same grounds as provided in section 175 of the Constitution of Alabama and the general laws of the state relating to the impeachment and removal of public officers. At least one member shall be a member of the minority race. The director of finance, the state treasurer and the superintendent of banks shall serve as ex officio members of the authority.

"(b) The members of the authority shall constitute all the members of the board of directors of the authority, in which all powers of the authority shall be vested, and any four a majority of the members of the board of directors shall constitute a quorum for the transaction of business.

"(c) The board of directors shall elect from among its members, a chairman, a vice-chairman, a secretary, a treasurer and such other officers as it may determine. The board of directors may also elect an assistant secretary and an assistant treasurer, who need not be members of the board of directors.

"(d) Regular meetings of the board of directors shall be held at such time and place as shall be fixed by resolution of the board of directors and special meetings of the board of directors shall be held at the call of the chairman or whenever three members of the board of directors so request; provided, that no meeting shall be held unless five days prior written notice of the time, place and purpose of such meeting shall have been given to each member of the Oversight Committee and five day's public notice has been given in at least three daily newspapers in diverse parts of the state outlining the time, place and purpose of the meeting. Public notice shall not be waived. Any action taken by the authority under the provisions of this chapter may be authorized by resolution approved by a majority of a quorum present and voting at least four of the directors present at any regular or special meeting. No member, officer or director of the authority shall receive any salary therefor, but he may be reimbursed for necessary travel and the reasonable expenses of performing the duties of office. All proceedings had and done by the board of directors shall be reduced to writing by the secretary or assistant secretary of the authority, shall be signed by at least three directors and shall be recorded in a substantially bound book and filed in the office of the authority. All proceedings of the board shall be open to the public and all records of the board shall be subject to public inspection during business hours. Copies of such proceedings, when certified by the secretary or assistant secretary of the authority under the seal of the authority, shall be received in all courts as prima facie evidence of the matters and things therein certified. The official records of the authority shall be permanently maintained in the office of the finance director.

"(e) No member, officer, director or employee shall be personally liable for the obligations or acts of the authority.

"(f) There shall be established a legislative oversight committee to provide recommendations to the board concerning efficient operation of the authority. The committee shall consist of seven members of the house of representatives, one from each congressional district appointed by the speaker of the house and seven members of the senate, one from each congressional district appointed by the lieutenant governor. The governor, lieutenant governor and speaker of the house or their designated representative shall serve as ex officio members. The legislative members, after their initial appointment, shall be named at each organizational session and all members shall serve until their successors are properly qualified.

"(g) Each appointed member, officer or director of the authority shall be paid actual expenses incurred in the performance of his duties pursuant to the provisions of this act, whether incurred within or without the state of Alabama; provided, however, each legislative member of the Oversight Committee shall be paid his regular legislative compensation for each day's attendance at meetings when not in legislative session plus actual expenses incurred in the performance of his duties pursuant to the provisions of this act

when traveling outside the state of Alabama; and the finance director, state treasurer and superintendent of banks shall serve without pay but shall be entitled to their actual expenses incurred in the performance of their duties pursuant to the provisions of this act. Any payment for compensation or reimbursement for expenses shall be made from any funds of the Alabama Housing Finance Authority."

Section 2. § 24-1A-7 of the Code of Alabama 1975, is hereby amended to read as follows:

"§ 24-1A-7.

"(a) All moneys derived from the sale of any bonds issued by the authority shall be used solely for the purpose or purposes for which the same are authorized, including costs and expenses of issue. Such costs and expenses may include but shall not be limited to:

"(1) The fiscal, legal and other expenses incurred in connection with the issuance of the bonds; and

"(2) Except in case of refunding bonds, interest to accrue on such bonds for a period ending not later than two years from their date.

"(b) Bonds shall be issued in series, each of which shall be separately designated in the proceedings authorizing their issuance. The board of directors in the proceedings authorizing a series of bonds (other than refunding bonds) shall specify the purposes for which the proceeds of such series shall be used. The proceeds of a series of bonds shall be used either for making, directly or indirectly, single family mortgage loans or for making, directly or indirectly, multi-family mortgage loans or for making, directly or indirectly, home improvement loans for eligible existing single family housing units, and the proceeds of a single series of bonds shall not be used for both any combination of single family mortgage loans, and multi-family mortgage loans and home improvement loans. Separate series of bonds may be issued at the same time. No series of bonds, the proceeds which are to be used for multi-family mortgage loans, shall be actually issued prior to January 1, 1981, although the authority may enter into agreements or commitments with regard to the issuance of such bonds prior to January 1, 1981.

"(c) In the proceedings authorizing any bonds (other than refunding bonds) the proceeds of which are to be applied, directly or indirectly, to the making of single family mortgage loans, the board of directors shall specify the portion of the proceeds thereof which the board of directors has determined are to be used for the purpose of providing funds with respect to the making, directly or indirectly, of such mortgage loans, and of such portion shall allocate (1) a minimum of 70 percent of such proceeds to the making of mortgage loans with respect to new and previously unoccupied eligible housing units, and (2) not exceeding 30 percent of such proceeds to the making of mortgage loans for existing eligible housing units and for the purchase of existing mortgage loans with respect to eligible housing units; provided, however, that if the authority determines, after 60 days from the date of issuance of any series of bonds issued for the purpose of financing single family mortgage loans, that the proceeds of such series have not been expended or committed to be expended for mortgage loans with respect to new and previously unoccupied eligible housing units, then such proceeds may be used to finance any single family mortgage loans.

"(d) If, for any series of bonds the proceeds of which are to be used for making, directly or indirectly, single family mortgage loans, the total requests for mortgage funds by mortgage lenders at the interest rate nearest to

the mortgage interest rate actually obtained by the bond issue are less than or equal to an amount equal to the maximum principal amount of mortgage revenue bonds which may be issued under Federal law during the then-current calendar year, then the authority shall allocate the net proceeds available for mortgage loans in such manner as it shall determine in its sole discretion.

"(e) If, for any series of bonds the proceeds of which are to be used for making, directly or indirectly, single family mortgage loans, the total requests for mortgage funds by mortgage lenders at the interest rate nearest to the mortgage interest rate actually obtained by the bond issue exceed an amount equal to the maximum principal amount of mortgage revenue bonds which may be issued under Federal law during the then-current calendar year, then thirty-five percent (35%) of the net proceeds available for mortgage loans shall be allocated equally among the 67 counties of the state for a period of sixty (60) days commencing on the date of issuance of such series of bonds. The authority, in its sole discretion, shall have the option to extend such 60-day period for an additional 30 days, and the further option to extend such period for an additional 30 days. At the expiration of such period, including any extension thereof, the authority may reallocate in the manner provided in subsection (d) of this section any portion of any county's original allocation which is not the subject of a written commitment for mortgage loans by mortgage lenders. The remaining 65% of such net proceeds shall be allocated by the authority in the manner provided in subsection (d) of this section."

Section 3. § 24-1A-9 of the Code of Alabama 1975, is hereby amended to read as follows:

"§ 24-1A-9.

"Notwithstanding any other provision of this chapter to the contrary, the authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, except as authorized by act of the legislature regularly enacted into law December 30, 1983."

Section 4. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

COMMITTEE ON CONFERENCE REPORT ADOPTED

On motion of Rep. Cates, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 37, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Bedsole, Blake, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis,

McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Reed, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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And the bill:

H. 37. To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the Authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to repeal specifically Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Bedsole, Blake, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Coburn, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Owens, Parker, Patton, Pegues, Penry, Rains, Reed, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—84

Nays: Reps. Albright and Boles.

—2

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carter, the rules were suspended in order to take up out of order the bill, S. 18.

And the bill:

S. 18. To state the intent of the Legislature; to amend § 34-24-70 the Code of Alabama, 1975, to state the qualifications required of applicants by examination or by reciprocity; to distinguish between graduates of colleges of medicine and colleges of osteopathy located in the United States or District of Columbia and other such graduates; to permit receipt of satisfactory evidence showing graduation in lieu of a diploma; to delete the requirement that a graduate of a foreign medical or osteopathic school complete a residency; to delete the requirement that a graduate of a foreign medical or osteopathic school be eligible to take the examination of an approved specialty board; to

amend the requirement that a graduate of a foreign medical or osteopathic school be certified by the educational council for foreign medical graduates so that such graduate must only have received a passing grade on the written examination; to require that graduates of foreign medical or osteopathic schools complete at least one year of internship at a hospital approved by the board of medical examiners; to delete the provision of § 34-24-70 that relates to county licenses; to require graduates of foreign medical or osteopathic schools and graduates of medical or osteopathic schools located in the United States or District of Columbia who have not passed a specified written examination within the ten years immediately preceding the date of the application to successfully complete an oral examination; to exempt from such oral examination applicants who have been certified by an approved specialty board or who have passed a recertification examination given by an approved board within the same ten year period; and to provide rule making authority.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Amari, Bedsole, Blake, Boles, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Cheatwood, Cobb, Coburn, Cosby, Crow, Daniels, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Pegues, Penry, Rains, Reed, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (J), Smith (M), Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Whatley, Williams, Wyatt and Zoghby.

—77

S. J. R. 17 AGAIN TAKEN UP

The resolution, S. J. R. 17 which previously was temporarily postponed with pending amendment and substitute amendments, was taken up.

SUBSTITUTE AMENDMENT TABLED

The question was then on the substitute amendment offered by Rep. Holley to the substitute amendment offered by Rep. Holmes, and on motion of Rep. Holmes the substitute amendment offered by Rep. Holley, was tabled.

Yeas 34; Nays 29.

Yeas:

Mr. Speaker, Albright, Blake, Boles, Campbell, Carothers, Carter, Cooley, Crow, Dial, Drinkard, Grimsley, Hall, Harper (O), Harvey, Holmes, Johnson (R. G.), Langford, McMillan, Parker, Payne, Rains, Roberts, Sandusky, Sasser, Shavers, Shoemaker, Starkey, Stout, Turner, Ward, Williams, Wyatt and Zoghby.

—34

Nays:

Reps. Bowling, Brakefield, Cabaniss, Cheatwood, Cobb, Coburn, Daniels, Edwards, Escott, Ford, Gilmer, Goodwin, Harrison, Higginbotham, Holley,

Johnson (Roy), Letson, McKee, Moore, Naramore, Olive, Patton, Seibels, Smith (J), Smith (M), Stewart, Trammell, Tucker and Whatley.

—29

MOTION TO TABLE LOST

The question was then on the substitute amendment offered by Rep. Holmes to the amendment offered by him to the resolution, S. J. R. 17.

The motion offered by Rep. Harvey to table the substitute amendment offered by Rep. Holmes, was lost.

Yeas 36; Nays 36.

Yeas

Mr. Speaker, Amari, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cooley, Cosby, Daniels, Drinkard, Grimsley, Grouby, Hammett, Harvey, Lewis, McKee, McMillan, Naramore, Olive, Owens, Patton, Payne, Pegues, Penry, Rains, Roberts, Sasser, Seibels, Shavers, Starkey, Stout, Trammell, Turner and Waggoner.

—36

Nays:

Reps. Albright, Bedsole, Boles, Buskey, Campbell, Clark (W), Cobb, Crow, Edwards, Gafford, Gilmer, Hall, Harper (T), Harrison, Higginbotham, Holley, Holmes, Howard, Johnson (Roy), Kennedy, Langford, Letson, Nevett, Parker, Reed, Sandusky, Shoemaker, Smith (J), Smith (M), Stewart, Tucker, Turnham, Ward, Williams, Wyatt and Zoghby.

—36

SUBSTITUTE AMENDMENT INDEFINITELY POSTPONED

The question was again on the substitute amendment offered by Rep. Holmes to the resolution, S. J. R. 17, and on motion of Rep. Harvey, the substitute amendment was indefinitely postponed.

Yeas 43; Nays 37.

Yeas:

Mr. Speaker, Adams (C), Amari, Bennett, Blake, Bowling, Brakefield, Cabaniss, Carothers, Carter, Cates, Cobb, Cooley, Cosby, Daniels, Dial, Drinkard, Grimsley, Grouby, Harper (O), Harvey, Laird, Lewis, McKee, McMillan, Manley, Moore, Naramore, Olive, Parker, Patton, Payne, Rains, Roberts, Shavers, Starkey, Stout, Trammell, Turner, Waggoner, Warren, Whatley and Williams.

—43

Nays:

Reps. Albright, Bedsole, Boles, Buskey, Campbell, Cheatwood, Clark (W), Coburn, Edwards, Escott, Ford, Gilmer, Goodwin, Hall, Harper (T), Harrison, Higginbotham, Holley, Holmes, Howard, Johnson (Roy), Kennedy, Langford, Letson, Minus, Nevett, Penry, Reed, Sandusky, Seibels, Smith (J), Smith (M), Stewart, Tucker, Turnham, Wyatt and Zoghby.

—37

MOTION TO ADJOURN LOST

The motion offered by Rep. Hall that the House adjourn until 10:00 o'clock p.m., Thursday, November 19, 1981, was lost.

Yeas 35; Nays 49.

Yeas:

Reps. Albright, Amari, Blake, Bowling, Brakefield, Buskey, Campbell, Cheatwood, Clark (W), Cobb, Cooley, Cosby, Daniels, Drinkard, Escott, Ford, Gilmer, Hall, Harper (O), Harvey, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Langford, Lewis, Minus, Nevett, Patton, Trammell, Tucker, Turner, Williams and Wyatt.

—35

Nays:

Mr. Speaker, Adams (C), Bedsole, Bennett, Cabaniss, Carothers, Carter, Cates, Coburn, Crow, Dial, Dixon, Edwards, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (T), Harrison, Higginbotham, Laird, McKee, McMillan, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Rains, Reed, Riddick, Sandusky, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Venable, Warren, Whatley, Willis and Zoghby.

—49

S. J. R. 17 RESUMED

The question was then on the amendment originally offered by Rep. Holmes to the resolution, S. J. R. 17, on the seventh legislative day.

MOTION TO TABLE LOST

The motion offered by Rep. Harrison to table the motion offered by Rep. McKee to temporarily postpone further consideration of the resolution, S. J. R. 17 with pending amendment, was lost.

Yeas 4; Nays 53.

Yeas: Reps. Blake, Smith (M), Starkey and Wyatt.

—4

Nays:

Reps. Albright, Bedsole, Boles, Bowling, Cabaniss, Carothers, Carter, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grouby, Hall, Hammett, Harper (T), Higginbotham, Holley, Howard, Johnson (R. G.), Johnson (Roy), Letson, McKee, McMillan, Manley, Minus, Naramore, Nevett, Parker, Patton, Pegues, Penry, Rains, Riddick, Shavers, Shoemaker, Smith (J), Stewart, Stout, Tucker, Turner, Williams and Zoghby.

—53

RESOLUTION TEMPORARILY POSTPONED

The question was then on the motion offered by Rep. McKee to temporarily postpone further consideration of the resolution, S. J. R. 17 with pending amendment, and the motion was adopted.

RESOLUTIONS

The following resolution was introduced:

By Reps. Willis and Rains:

H. J. R. 58. COMMENDING REPRESENTATIVE JACK VENABLE ON HIS RECOMMENDATION OF BREVITY FOR PROPOSED CONSTITUTIONAL AMENDMENTS.

WHEREAS, the Alabama Legislature, in commendation of Representative Jack Venable, expresses its accord with our colleague's recommendation of brevity for constitutional amendments proposed by the Legislature; and

WHEREAS, in further support of his plan for brevity, Mr. Venable offered a substitute, less than one page in length, for a proposal some 20 times more lengthy; and

WHEREAS, an additional advantage of conciseness is the cost involved for the necessary eventual publication of all proposed constitutional amendments, this in addition to the beauty of uncomplicated and clear-cut language for our State's Constitution which is fast becoming statutory in content with almost 400 amendments added since 1901; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Representative Jack Venable on his recommendation of brevity for proposed constitutional amendments and call upon our membership to pattern any such future proposals after the succinct language of our own United States Constitution, as suggested by Representative Venable.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Willis offered the motion to suspend the rules and adopt the resolution, H. J. R. 58.

DIVISION OF THE QUESTION

Rep. Riddick called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Willis to suspend the rules in order to take up for immediate consideration the resolution, H. J. R. 58, and the motion was lost.

The resolution, H. J. R. 58, was read and referred to the Standing Committee on Rules.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Cobb:

H. R. 59. COMMENDING THE HACKLEBURG 1981 FOOTBALL TEAM OF HACKLEBURG, ALABAMA.

SPECIAL ORDER

The House then proceeded with the consideration of the bills on the Special Order Calendar.

And the bill:

S. 6. To alter, rearrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Mr. Speaker, Bedsole, Bennett, Blake, Bowling, Brakefield, Carter, Cheatwood, Drinkard, Edwards, Ford, Gafford, Gilmer, Grimsley, Grouby, Hammett, Harper (T), McKee, McMillan, Moore, Naramore, Nevett, Owens, Penry, Sandusky, Sasser, Seibels, Smith (C), Smith (J), Stewart, Trammell, Waggoner and Warren.

—33

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 31. (With Amendments): Relating to DeKalb County, to provide for an advisory referendum to select one of two methods for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend S. 31, page 1, Section 1, Line 27 by striking the words forty percent and inserting in lieu thereof, 44.61 percent

And the amendment was adopted.

Yeas 27; Nays 0.

Yeas:

Reps. Bedsole, Bennett, Bowling, Carter, Cheatwood, Coburn, Edwards, Ford, Gilmer, Grouby, McKee, McMillan, Minus, Nevett, Olive, Owens, Penry, Rains, Sasser, Seibels, Smith (C), Smith (J), Stewart, Ward, Warren, Wyatt and Zoghby.

—27

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend S. 31, page 1, Section 1, Line 19 by striking election in September 1982 and inserting in lieu thereof, general, or special election.

And the amendment was adopted.

Yeas 34; Nays 0.

Yeas:

Reps. Bedsole, Bennett, Blake, Bowling, Brakefield, Campbell, Carter, Cheatwood, Edwards, Escott, Ford, Grouby, McKee, McMillan, Minus, Naramore, Nevett, Olive, Owens, Patton, Penry, Rains, Sasser, Seibels, Smith (C), Smith (J), Stewart, Stout, Turner, Waggoner, Ward, Warren, Wyatt and Zoghby.

—34

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 31 as thus amended, was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Reps. Bedsole, Bennett, Bowling, Brakefield, Campbell, Carter, Cheatwood, Drinkard, Edwards, Grouby, McKee, Naramore, Olive, Ownes, Patton, Rains, Sasser, Seibels, Smith (C), Smith (J), Stewart, Stout, Turner, Waggoner, Warren and Zoghby.

—26

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Coburn and Higginbotham:

H. R. 60. MOURNING THE RECENT DEATH OF JUDGE CLIF-FORD KING DELONY OF TUSCUMBIA, ALABAMA.

MOTION TO ADJOURN LOST

The motion offered by Rep. Harvey that the House adjourn until 10:00 o'clock a.m., Thursday, November 19, 1981, was lost.

Yeas 27; Nays 43.

Yeas:

Reps. Albright, Blake, Buskey, Cheatwood, Clark (W), Cobb, Crow, Dial, Drinkard, Escott, Ford, Gafford, Gilmer, Harper (O), Harrison, Harvey, Howard, Johnson (R. G.), Kennedy, Langford, Minus, Parker, Payne, Rains, Shoemaker, Tucker and Turner.

—27

Nays:

Reps. Adams (H), Amari, Bedsole, Bennett, Boles, Bowling, Brakefield, Campbell, Carter, Cates, Coburn, Cosby, Dixon, Edwards, Goodwin, Grouby, Hall, Harper (T), Higginbotham, Lewis, McKee, McMillan, Moore, Naramore, Olive, Owens, Pegues, Penry, Riddick, Sandusky, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Trammell, Waggoner, Ward, Warren, Willis, Wyatt and Zoghby.

—43

S. 42 POSTPONED

On motion of Rep. Owens, the bill, S. 42, was postponed to the ninth legislative day.

S. 44 POSTPONED

On motion of Rep. Owens, the bill, S. 44, was postponed to the ninth legislative day.

And the bill:

S. 10. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Reps. Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (W), Cobb, Coburn, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Ford, Gilmer, Goodwin, Grouby, Hall, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Langford, Lewis, McKee, McMillan, Manley, Naramore, Nevett, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Riddick, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Willis, Wyatt and Zoghby.

—69

And the bill:

S. 47. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Amari, Barton, Bedsole, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, Lewis, McMillan, Manley, Minus, Moore, Naramore, Nevett, Olive, Owens, Parker, Pegues, Penry, Rains, Reed, Sandusky, Sasser, Seibels, Smith (C), Smith (J), Stewart, Stout, Trammell, Turner, Ward, Warren, Willis, Wyatt and Zoghby.

—69

And the bill:

S. 15. To amend section 36-17-3, Code of Alabama 1975, relating to the duties of the state treasurer, so as to further authorize the treasurer to deposit money and securities deposited with the state to be held in the vault of any bank in the state which is insured by the Federal Deposit Insurance Corporation and located in a federal reserve bank city.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Albright, Barton, Bedsole, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (W), Cobb, Coburn, Cooley, Crow, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, Lewis, McKee, McMillan, Moore, Naramore, Nevett, Owens, Parker, Payne, Penry, Rains, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Stewart, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Willis, Wyatt and Zoghby.

—69

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker Pro Tem:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 15. To amend Section 1 of Act No. 81-967 of the first special session of the Alabama Legislature in 1981 by further amending § 43-3-10 Code of Alabama 1975, which provides for descent and distribution of personalty.

Also:

H. 82. To authorize the Blount County Commission to provide protection against forest fires within the county to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS

The Speaker Pro Tem of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

S. 53. To provide that State Legislators' travel expenses shall be treated for state income tax purposes in the same manner as for federal income tax purposes.

Was read a third time at length and passed.

Yeas 46; Nays 11.

Yeas:

Reps. Adams (C), Bedsole, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Cates, Clark (W), Cobb, Coburn, Crow, Drinkard, Escott, Ford, Gafford, Grimsley, Hammett, Harper (O), Harper (T), Higginbotham, Holmes, Johnson (R. G.), Laird, Langford, McKee, McMillan, Moore, Naramore, Parker, Penry, Riddick, Sandusky, Sasser, Seibels, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Waggoner, Ward, Williams and Zoghby.

—46

Nays:

Reps. Cooley, Dial, Hall, Holley, Johnson (Roy), Payne, Rains, Shavers, Venable, Whatley and Wyatt.

—11

And the bill:

S. 8. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used tire of an automotive vehicle or truck trailer, semitrailer, or house trailer is taken in trade as a credit or part payment on the sale of a tire for an automotive vehicle, truck trailer, semitrailer, or house trailer, the sales tax shall be paid on the net difference.

Was read a third time at length and passed.

Yeas 57; Nays 3.

Yeas:

Reps. Adams (C), Adams (H), Albright, Bedsole, Bennett, Blake, Boles, Brakefield, Cabaniss, Carothers, Cates, Cheatwood, Cooley, Cosby, Crow, Daniels, Drinkard, Edwards, Gafford, Gilmer, Hammett, Harper (O), Higginbotham, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, McKee, McMillan, Moore, Naramore, Nevett, Owens, Payne, Pegues, Penry, Rains, Roberts, Sandusky, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Stout, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—57

Nays: Reps. Cobb, Hall and Wyatt.

—3

PERMISSION GRANTED

Permission was granted for the Journal to show Rep. Holley abstained from voting on the bill, S. 8, due to conflict of interest.

And the bill:

S. 11. To amend Section 28-3-74 (e) of the Code of Alabama 1975, to provide that when a county changes its status from a dry county to a wet county that such county will be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year. To further provide that a newly created municipality in a wet county shall be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year.

Was read a third time at length and passed.

Yeas 30; Nays 9.

Yeas:

Reps. Bedsole, Bowling, Brakefield, Cates, Coburn, Cooley, Daniels, Gilmer, Grouby, Hammett, Harvey, Higginbotham, McKee, McMillan, Moore, Naramore, Patton, Payne, Penry, Rains, Roberts, Sasser, Seibels, Smith (C), Starkey, Stout, Trammell, Waggoner, Ward and Williams.

—30

Nays:

Reps. Albright, Drinkard, Ford, Hall, Holley, Howard, Turner, Whatley and Wyatt.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 27. To amend Sections 22-12A-2, 22-12A-3 and 22-12A-6 of the Code of Alabama 1975, relating to the Perinatal Health Act and legislative

intent, content and the use of funds generally, so as to further provide therefor and enunciate the legislative intent with respect to educational programs.

Was read a third time at length and passed.

Yeas 65; Nays 2.

Yeas:

Reps. Adams (C), Adams (H), Albright, Bedsole, Bennett, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cheatwood, Cobb, Cooley, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, McKee, McMillan, Minus, Moore, Naramore, Nevett, Olive, Parker, Patton, Pegues, Penry, Rains, Roberts, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—65

Nays: Reps. Holley and Wyatt.

—2

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions and House bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. on November 18, 1981.

H. 42

H. 49

H. 79

H. J. R. 37

H. 34

H. 61

H. 104

H. 105

H. J. R. 36

H. J. R. 39

H. J. R. 40

H. J. R. 42

Delivered to the Secretary of State at 2:20 P.M. on November 18, 1981.

H. 77 (Constitutional Amendment)

Delivered to the Governor at 3:25 P.M. on November 18, 1981.

H. 85

H. 95

H. 96

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Pegues and pursuant to the resolution, H. R. 44, heretofore adopted, the House adjourned until 10:00 o'clock a.m., Thursday, November 19, 1981.

Yeas 55; Nays 16.

Yeas:

Reps. Adams (H), Bedsole, Bennett, Blake, Boles, Brakefield, Buskey, Campbell, Carothers, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Dial, Drinkard, Escott, Grouby, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Laird, Langford, McMillan, Manley, Nevett, Olive, Parker, Patton, Pegues, Rains, Shoemaker, Starkey, Trammell, Tucker, Turner, Turnham, Warren, Whatley, Williams, Willis and Wyatt.

—55

Nays:

Reps. Adams (C), Albright, Amari, Cabaniss, Gilmer, Hall, McKee, Moore, Naramore, Payne, Seibels, Smith (C), Stewart, Waggoner, Ward and Zoghby.

—16

NINTH DAY

House of Representatives
Montgomery, Alabama
Thursday, November 19, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Earl Dubois, United Methodist Church, Haleburg, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell,

Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

JACK BIDDLE, III,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows: To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 20, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 20, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Keener, Parsons, and Mitchem.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 51. COMMENDING DR. AMOS GARRETT, ROBERTS-DALE, ALABAMA, PROMINENT DENTIST AND CIVIC LEADER.

Also:

H. J. R. 54. HONORING JUDGE ROBERT H. KIRKSEY UPON HIS RETIREMENT AS PROBATE JUDGE OF PICKENS COUNTY.

Also:

H. J. R. 55. COMMENDING MR. CECIL BRADDEN WORD, PROMINENT NORTH ALABAMA BUSINESSMAN AND CIVIC LEADER.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 37. To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to provide for published notice of meetings of the authority; to provide that a majority of a quorum present and voting shall be sufficient for any corporate action; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the

use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to amend Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

And said Bill, H. B. 37, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

At the request of Rep. Riddick, leave of absence was granted for Rep. Albright.

At the request of Rep. Manley, leave of absence was granted for Rep. Hines, due to illness.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

H. J. R. 58. COMMENDING REPRESENTATIVE JACK VENABLE ON HIS RECOMMENDATION OF BREVITY FOR PROPOSED CONSTITUTIONAL AMENDMENTS.

On motion of Rep. Biddle, the resolution, H. J. R. 58, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Biddle, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 32. EXPRESSING THE LEGISLATURE'S PRIDE IN THE SECOND SUCCESSFUL LAUNCH AND FLIGHT OF THE HISTORIC COLUMBIA SPACE SHUTTLE.

On motion of Rep. Biddle, the resolution, S. J. R. 32, was adopted.

Also:

S. J. R. 35. URGING THE ESTABLISHMENT OF A CENTER FOR APPLIED EDUCATIONAL RESEARCH AND DEVELOPMENT AT UAB.

On motion of Rep. Biddle, the resolution, S. J. R. 35, was adopted.

Also:

S. J. R. 33. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

SUBSTITUTE OFFERED

Rep. Tucker offered the following substitute to the resolution, S. J. R. 33:

MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

WHEREAS, the State of Alabama has been deeply shocked and saddened by the death of the Reverend J. King Chandler, III, of Birmingham, Alabama, on Wednesday, November 11, at the age of 58 years; and

WHEREAS, the Reverend Chandler died as the result of a gunshot wound inflicted by an assailant, as yet unknown, a deplorable and senseless act which cut short the life of one of our State's most outstanding citizens; and

WHEREAS, the Reverend Chandler, who was an ordained Elder of the African Methodist Episcopal Church and who was serving, at the time of his death, as chairman of the Urban Studies Department of Jefferson State Junior College, was a former president, on two occasions, of Daniel Payne College, his first tenure at the age of 24 as one of the youngest college presidents in the country; and

WHEREAS, the Bessemer, Alabama, native completed undergraduate studies at Wilberforce University, his theological studies at Payne Theological Seminary, and his Ph.D. degree was awarded by Columbia University's Teachers College; he first taught psychology at Talladega College, followed by a tenure as president of Daniel Payne, leaving in the early 1960's to join the faculty at Cheyney State University in Pennsylvania; and

WHEREAS, Dr. Chandler returned to the presidency of Daniel Payne College in 1968 for a period of one year before accepting the position he held at Jefferson State Junior College; and

WHEREAS, a former member of the University Year in Action at Birmingham-Southern College, he also served as a moderator for 10 years on the Commentary Forum of Radio WBUL, was a speaker and preacher in the Birmingham-Jefferson County Metroplex, and was chairman of the 10th anniversary observance of the Jefferson County Committee on Economic Opportunity in 1974, and in 1975 and 1976, of United Negro College Fund area campaigns; and

WHEREAS, the Reverend Chandler was active in numerous organizations such as the Clergy Who Cares, the National Conference of Christians and Jews, the Visiting Nurses Association of Christians and Jews, the Visiting Nurses Association and Planned Parenthood, and most particularly with organizations such as Camp Pauline Bray Fletcher and other youth oriented programs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the tragic and untimely death of Dr. J. King Chandler, III, of Birmingham, Alabama, and extend our most heartfelt sympathy to his wife, Mrs. Doris Tolbert Chandler, to their son and daughter, Franklin and Yvonne Jeannette, and to other family members to whom a copy of this resolution shall be sent.

SUBSTITUTE ADOPTED

On motion of Rep. Tucker, the substitute was adopted.

And the resolution, S. J. R. 33 as amended, was adopted.

Also:

H. J. R. 48. DIRECTING THE COMMISSIONER OF THE DEPARTMENT OF REVENUE TO WITHDRAW THE NEW PROPERTY TAX REASSESSMENT PLAN RECENTLY PROMULGATED.

On motion of Rep. Dial, the resolution, H. J. R. 48, was adopted.

Yeas 63; Nays 15.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Blake, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Cooley, Cosby, Crow, Daniels, Dial, Edwards, Ford, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harvey, Higginbotham, Holley, Johnson (R. G.), Laird, Letson, McMillan, Manley, Minus, Mitchell, Moore, Olive, Owens, Parker, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Turner, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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Nays:

Reps. Bennett, Boles, Bowling, Brakefield, Coburn, Harrison, Holmes, Howard, Johnson (Roy), Kennedy, Langford, Lewis, Naramore, Seibels and Waggoner.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 37. To provide further for the Alabama Housing Finance Authority; to amend Section 24-1A-4 of the Code of Alabama 1975, relating to the membership, appointments, compensation and expenses of the authority, so as to increase the membership and to provide further for the compensation and expenses of the members of the authority and Oversight Committee, to provide that all such compensation and expenses for all such members shall be paid from any funds of the Alabama Housing Finance Authority; to provide for published notice of meetings of the authority; to provide that a majority of a quorum present and voting shall be sufficient for any corporate action; to amend Section 24-1A-7 of the Code of Alabama 1975, relating to the use and distribution of the proceeds from the sale of bonds, so as to provide further therefor; and to amend Section 24-1A-9 of the Code of Alabama 1975, which limits the period for the issuance of bonds.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolution was introduced:

By Reps. Gafford, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby:

H. J. R. 61. EXTENDING CONGRATULATIONS AND BEST WISHES TO MS. ROBIN WOODARD AND MR. RALPH HOLMES.

WHEREAS, the Alabama Legislature is pleased to have learned of the forthcoming marriage of Ms. Robin Woodard to our longtime good friend, Mr. Ralph Holmes, on November 25, 1981; and

WHEREAS, following the marriage ceremony, to be conducted by Alabama Supreme Court Chief Justice C. C. "Bo" Torbert, the couple plans an extended honeymoon on romantic Santa Rosa Island off Florida's beautiful Gulf Coast; and

WHEREAS, Ms. Woodard is the Manager of The Friday Club, located in the Capitol Towers in downtown Montgomery, and Mr. Holmes, of course, is with the Birmingham News and a veteran member of the Capitol Press Corps; and

WHEREAS, in usual foresight and good judgment, Mr. Holmes has planned their nuptials for Thanksgiving Eve, allowing for a wedding trip of several days uninterrupted by the uncertainty of legislative affairs; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we sincerely wish for the future Mr. & Mrs. Holmes all the joys of married life and every happiness for many years to come.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for Mr. & Mrs. Holmes to-be that they may be aware of our best wishes, congratulations and warm personal regard.

On motion of Rep. Gafford, the rules were suspended and the resolution, H. J. R. 61, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Smith (J):

H. R. 62. HONORING POSTHUMOUSLY THOMAS HERMAN VANN, PROMINENT MADISON COUNTIAN, FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES AND STATE SENATOR.

Also:

The following resolution was introduced:

By Rep. Turner:

H. J. R. 63. WHEREAS, to assure the most efficient, economical and orderly retention of electric service within the State of Alabama and to maximize the safety of the employees of the Alabama Power Company and the general public;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Alabama Power Company refrain from changing its work practices with regards to 12-KV class type voltage until such time as a proper hearing can be heard by the Alabama Public Service Commission for the express purpose of safeguarding Alabama Power Company's employees and the general public.

BE IT FURTHER RESOLVED That a copy of this Resolution be presented to Billy Joe Camp, President of the Alabama Public Service Commission, and Joe Farley, President, Alabama Power Company.

The resolution, H. J. R. 63, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 6. To alter, rearrange and extend the boundaries and corporate limits of the CITY OF CALERA, ALABAMA, so as to incorporate certain territory as described herein.

Also:

S. 8. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used tire of an automotive vehicle or truck trailer, semitrailer, or house trailer is taken in trade as a credit or part payment on the sale of a tire for an automotive vehicle, truck trailer, semitrailer, or house trailer, the sales tax shall be paid on the net difference.

Also:

S. 10. To amend Sections 40-17-160, 40-17-161, 40-17-165 and 40-17-166 of the Code of Alabama, 1975, relating to the use of liquefied petroleum gas in certain motor vehicles, so as to provide further for the use of liquefied petroleum gas and natural gas in such vehicles; to provide further for decals to be placed on such vehicles; to provide certain exemptions from taxation of such gas; and to provide further for penalties for the violation of the provisions of the act.

Also:

S. 11. To amend Section 28-3-74(e) of the Code of Alabama 1975, to provide that when a county changes its status from a dry county that such county will be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal

year. To further provide that a newly created municipality in a wet county shall be accepted as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next quarter of the fiscal year.

Also:

S. 15. To amend section 36-17-3, Code of Alabama 1975, relating to the duties of the state treasurer, so as to further authorize the treasurer to deposit money and securities deposited with the state to be held in the vault of any bank in the state which is insured by the Federal Deposit Insurance Corporation and located in a federal reserve bank city.

Also:

S. 18. To state the intent of the Legislature; to amend § 34-24-70 of the Code of Alabama, 1975, to state the qualifications required of applicants by examination or by reciprocity; to distinguish between graduates of colleges of medicine and colleges of osteopathy located in the United States or District of Columbia and other such graduates; to permit receipt of satisfactory evidence showing graduation in lieu of a diploma; to delete the requirement that a graduate of a foreign medical or osteopathic school complete a residency; to delete the requirement that a graduate of a foreign medical or osteopathic school be eligible to take the examination of an approved specialty board; to amend the requirement that a graduate of a foreign medical or osteopathic school be certified by the educational council for foreign medical graduates so that such graduate must only have received a passing grade on the written examination; to require that graduates of foreign medical or osteopathic schools complete at least one year of internship at a hospital approved by the board of medical examiners; to delete the provision of § 34-24-70 that relates to county licenses; to require graduates of foreign medical or osteopathic schools and graduates of medical or osteopathic schools located in the United States or District of Columbia who have not passed a specified written examination within the ten years immediately preceding the date of the application to successfully complete an oral examination; to exempt from such oral examination applicants who have been certified by an approved specialty board or who have passed a recertification examination given by an approved board within the same ten year period; and to provide rule making authority.

Also:

S. 27. To amend Sections 22-12A-2, 22-12A-3 and 22-12A-6 of the Code of Alabama 1975, relating to the Perinatal Health Act and legislative intent, content and the use of funds generally, so as to further provide therefor and enunciate the legislative intent with respect to educational programs.

Also:

S. 47. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

S. 53. To provide that State Legislators' travel expenses shall be treated for state income tax purposes in the same manner as for federal income tax purposes.

Also:

S. J. R. 25. COMMENDING MRS. BEVERLY POOLE BAKER FOR OUTSTANDING ACADEMIC ACHIEVEMENT AND CIVIC INVOLVEMENT.

Also:

S. J. R. 26. COMMENDING THE BIRMINGHAM HERITAGE BAND, CONDUCTED BY BANDMASTER AMOS GORDON OF THE BIRMINGHAM'S JAZZ HALL OF FAME.

Also:

S. J. R. 29. MOURNING THE DEATH OF J. GORDON MADISON.

Also:

S. J. R. 30. MOURNING THE RECENT DEATH OF JUDGE CLIFFORD KING DELONY OF TUSCUMBIA, ALABAMA.

Also:

S. J. R. 34. COMMENDING THE UNITED STATES AND ALABAMA JAYCEES, AND REQUEST GOVERNOR FOB JAMES TO PROCLAIM THE WEEK OF JANUARY 17-23, 1982, AS "JAYCEE WEEK IN ALABAMA."

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

NOTICE IN WRITING

Rep. Manley filed the following Notice in Writing:

Having voted on the prevailing side whereby House Bill No. 71 passed the House on Wednesday, November 18, 1981, I hereby give notice that at the appropriate time I will move to reconsider that vote.

RESOLUTION

The following resolution was introduced:

By Rep. Bennett:

H. J. R. 64. CONGRATULATING THE HOMEWOOD HIGH SCHOOL BAND ON ITS SELECTION TO LEAD THE MACY'S THANKSGIVING DAY PARADE.

WHEREAS, the Homewood High School Band, Color Guard and Star Spangled Girls Marching Unit will lead the nationally-televised Macy's Thanksgiving Day Parade in New York City on November 26; and

WHEREAS, such appearance will focus attention on the State of Alabama and its excellent music education programs; and

WHEREAS, the trip is the second Macy's Parade appearance for the 179-member Homewood High School Band and its auxiliary units in three years; and

WHEREAS, the band, under the direction of Pat Morrow has won numerous awards including the Grand Champion Trophy in the Parade of Champions and straight ones in the Mid-South Marching Festival in Gadsden earlier this year; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Homewood High School Band is hereby congratulated for its selection to lead the 1981 Macy's Thanksgiving Day Parade; and

BE IT FURTHER RESOLVED, that its tradition of excellence and leadership in the field of high school band organization is duly recognized; and

BE IT FINALLY RESOLVED, that copies of this resolution be sent to Homewood School Superintendent Mike Gross, Homewood High School Principal Jack Farr and Homewood High School Band Director Pat Morrow.

On motion of Rep. Bennett, the rules were suspended and the resolution, H. J. R. 64, was adopted.

BILLS ON SECOND READING

Rep. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 61. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

Rep. Waggoner, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 32. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

S. 33. To provide members of the governing body of Class I cities in Alabama and all cities in Alabama having a population of 250,000 or more according to the last and any subsequent federal decennial census with an expense allowance for attending business of the city within the municipal corporate limits; to provide that this act supersedes the provisions of Sections 1 and 2 of Act No. 129 of the Regular Session of the Legislature of 1965 (Acts of Alabama 1965, pp. 194-195), that the provisions hereof are severable; and to repeal all laws or parts of laws in conflict herewith.

Rep. Ray, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 48. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

NOTICE IN WRITING FILED

Rep. Manley filed the following Notice in Writing:

Having voted on the prevailing side whereby House Bill No. 72 passed the House on Wednesday, November 18, 1981, I hereby give notice that at the appropriate time I will move to reconsider that vote.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Patton, the rules were suspended in order to take up out of order the bill, S. 65.

And the bill:

S. 65. To make a supplemental appropriation from the Alabama special educational trust fund to the Alabama Department of Youth Services for the fiscal year ending September 30, 1982, for the purposes of subsidizing in part certain regional juvenile detention centers and other purposes; and to state legislative intent.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams (H), Amari, Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Grimsley, Grouby, Harper (O), Harper (T), Harrison, Higginbotham, Holmes, Horn, Howard, Johnson (R. G.), Kennedy, Laird, Langford, Lewis, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Stout, Tucker, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Ward to suspend the rules in order to take up out of order the bill, S. 20, was lost.

BILLS ON THIRD READING

And the bill:

H. 113. Relating to Choctaw County; to prohibit the use of steel traps to catch fur-bearing animals; to provide an exception for the catching of beaver.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Bedsole, Bennett, Blake, Brakefield, Campbell, Cates, Cheatwood, Cobb, Cooley, Crow, Edwards, Ford, Grouby,

Hall, Hammett, Harper (O), Harper (T), Harvey, Holmes, Johnson (R. G.), Johnson (Roy), Langford, Lewis, Minus, Mitchell, Moore, Naramore, Owens, Parker, Rains, Sasser, Seibels, Smith (J), Starkey, Venable, Warren, Whatley, Willis and Zoghby.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 47. COMMENDING JUDGE JOSEPH MONROE HOCKLANDER UPON HIS RETIREMENT AS PRESIDING JUDGE OF THE 13th JUDICIAL CIRCUIT IN MOBILE, ALABAMA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 106. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of County Lir^c, in Blount County.

Also:

H. 108. Proposing an amendment to the Constitution of 1901, to repeal Amendment No. 132 of the Constitution of 1901, relating to altering or re-arranging or reducing or abolishing Macon County.

Also:

H. 110. Relating to Fayette County; setting fees for pistol permits; providing for disposition of the proceeds from such fees and specifically repealing Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended by Act No. 734, H. 1283, Regular Session 1976 (Acts 1976, p. 1015), and all other laws in conflict herewith.

Also:

H. 111. To further regulate the sale of alcoholic beverages and the distribution of local municipal alcoholic beverage tax in Lauderdale County.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 20. To amend Act Number 81-753, relating to the boundary lines of the Town of New Hope, Alabama, as follows:

To alter, rearrange and extend the boundary lines and corporate limits of the municipality of NEW HOPE IN MADISON COUNTY, ALABAMA.

And finds same correctly enrolled with Executive Amendment.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 51. COMMENDING DR. AMOS GARRETT, ROBERTS-DALE, ALABAMA, PROMINENT DENTIST AND CIVIC LEADER.

Also:

H. J. R. 54. HONORING JUDGE ROBERT H. KIRKSEY UPON HIS RETIREMENT AS PROBATE JUDGE OF PICKENS COUNTY.

Also:

H. J. R. 55. COMMENDING MR. CECIL BRADDEN WORD, PROMINENT NORTH ALABAMA BUSINESSMAN AND CIVIC LEADER.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO RECOMMIT

Rep. Harrison offered the motion to recommit the bill, S. 32, to the Standing Committee on Local Legislation No. 2.

MOTION TO TABLE LOST

The motion offered by Rep. Waggoner to table the motion offered by Rep. Harrison to recommit the bill, S. 32, to the Standing Committee on Local Legislation No. 2, was lost.

Yeas 8; Nays 8.

Yeas:

Reps. Bennett, Biddle, Cabaniss, Gafford, Moore, Seibels, Trammell and Waggoner.

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Nays:

Reps. Cheatwood, Escott, Harrison, Howard, Lewis, Olive, Payne and Tucker.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECOMMIT LOST

The question was then on the motion offered by Rep. Harrison to recommit the bill, S. 32, to the Standing Committee on Local Legislation No. 2, and the motion was lost.

Yeas 7; Nays 9.

Yeas:

Reps. Cheatwood, Escott, Howard, Lewis, Olive, Payne and Tucker.

—7

Nays:

Reps. Bennett, Biddle, Cabaniss, Gafford, Horn, Moore, Seibels, Trammell and Waggoner.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECOMMIT LOST

The motion offered by Rep. Harrison to recommit the bill, S. 33, to the Standing Committee on Local Legislation No. 2, was lost.

Yeas 8; Nays 9.

Yeas:

Reps. Cheatwood, Escott, Harrison, Howard, Lewis, Olive, Payne and Tucker.

—8

Nays:

Reps. Bennett, Biddle, Cabaniss, Gafford, Horn, Moore, Seibels, Trammell and Waggoner.

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 28. Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE

SENATE BILL 28

We, the Committee on Conference appointed to reconcile the differences of the two houses concerning Senate Bill No. 28 have met in conference and have agreed to accept the attached substitute.

LARRY H. KEENER,
HINTON MITCHEM,
RYAN deGRAFFENRIED,

Senate Conferees.

JOE M. FORD,

BOB HARVEY,

BILL ADAMS,

House Conferees.

November 19, 1981

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL 28

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

Be It Enacted by the Legislature of Alabama:

Section 1. Effective February 1, 1982, in Etowah County, each deputy sheriff shall receive a uniform maintenance allowance in the amount of \$40.00 per month.

Section 2. Effective February 1, 1982, in addition to any and all other compensation heretofore provided by law, each deputy sheriff who is engaged in hazardous duties shall be paid, upon certification by the sheriff to the county commission that the deputy performs hazardous duties, the sum of \$60.00 per month.

Section 3. All allowances and compensation paid under the provisions of this act shall be paid out of such funds and in the same manner as other compensation to such deputy sheriffs is paid.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said Bill, S. B. 28, together with the Report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Ford, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 28, said Report being set out in the above and foregoing Message from the Senate.

Yeas 25; Nays 0.

Yeas:

Reps. Adams (H), Barton, Bedsole, Bowling, Brakefield, Campbell, Carothers, Cooley, Drinkard, Ford, Gilmer, Hall, Harper (T), Harvey, Lewis, Naramore, Owens, Ray, Seibels, Smith (J), Starkey, Stewart, Whatley, Williams and Willis.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 28 as amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Carter, Cheatwood, Cooley, Crow, Daniels, Drinkard, Ford, Gafford, Gilmer, Hall, Hammett, Harper (O), Harper (T), Harvey, Holmes, Lewis, McMillan, Moore, Naramore, Owens, Penry, Rains, Ray, Reed, Smith (J), Starkey, Stewart, Venable, Warren, Whatley, Williams, Willis and Zoghby.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 31. Relating to DeKalb County, to provide for an advisory referendum to select one of two methods for the distribution of funds received by the county from payments in lieu of taxes made by the Tennessee Valley Authority.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Martin, Mitchem, and Lemaster.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Rains, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 31.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Biddle, Bowling, Brakefield, Campbell, Carter, Cheatwood, Cobb, Cooley, Daniels, Gafford, Gilmer, Grimsley, Grouby, Hall, Harper (T), Johnson (R. G.), McMillan,

Minus, Mitchell, Moore, Naramore, Olive, Owens, Patton, Payne, Penry, Rains, Ray, Reed, Seibels, Shoemaker, Smith (J), Stewart, Turnham, Venable, Warren, Whatley, Willis and Zoghby.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

COMMITTEE APPOINTED

The Speaker appointed as a Committee on Conference on the part of the House Reps. Rains, Stout and Bowling.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Manley:

H. J. R. 65. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when we adjourn today, Thursday, November 19, 1981, we adjourn to meet again on Monday, November 30, 1981.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 65, was adopted.

Also:

By Rep. Manley:

H. R. 66. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Thursday, November 19, 1981, we adjourn to meet again on Monday, November 30, 1981, at 1:00 P.M.

On motion of Rep. Manley, the rules were suspended and the resolution, H. R. 66, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Turnham:

H. R. 67. COMMENDING THE ALABAMA HOSPITAL ASSOCIATION.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 73

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the H. B. No. 73 have met, considered the bill, and have agreed to the following report:

We recommend that the bill be substituted as follows and then passed by both houses:

Respectfully submitted,

GEORGE CLARK,

BILL DRINKARD,

RICHARD S. MANLEY,

Conferees on the part of the House.

MAC PARSONS,

HINTON MITCHEM,

LARRY KEENER,

Conferees on the part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 73

A BILL
TO BE ENTITLED
AN ACT

To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1 September 30, 1982, and to provide that the moneys so appropriated shall be certain moneys income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Findings and Declarations. The Legislature hereby finds and declares:

(a) that there is a critical shortage of funds available for the financing of mortgage loans secured by single and multi-family residential property located in the State;

(b) that the Legislature in Act No. 80-585 enacted at the 1980 Regular Session of the Legislature authorized the creation of the Alabama Housing Finance Authority and empowered said authority to issue its bonds for the purpose of making funds available in the State for mortgage loans secured by mortgages on single and multi-family residential property at interest rates sufficiently low to facilitate the financing of safe and sanitary housing units for citizens of this State with low or moderate incomes;

(c) that, under present federal law, the interest income on bonds issued by the Alabama Housing Finance Authority prior to January 1 September 30, 1982, in a principal amount not exceeding \$200,000,000 in the calendar year 1981 and \$200,000,000 in the calendar year 1982 shall be exempt from federal income taxation;

(d) that, because of changes in federal law enacted since the creation of the Alabama Housing Finance Authority, it will be necessary for the State to make available to said authority professional and other services and bond insurance in order to enable said authority to issue and sell its bonds;

(e) that the State received certain advance rentals after January 1, 1981, and before May 21, 1981, from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in certain areas of Mobile Bay and other offshore areas and that the moneys so received are presently held in the general fund of the State; and

(f) that a portion of the aforesaid advance rentals and the income from the investment thereof income from the investment of the said advance rentals should be expended by the State to enable the Alabama Housing Finance Authority to issue its bonds in a principal amount not exceeding \$200,000,000 prior to January 1, 1982 in the calendar year 1981 and \$200,000,000 in the calendar year 1982, and to otherwise perform the functions for which it was organized.

Section 2. Appropriation. The sum of six million five hundred thousand dollars (\$6,500,000), or so much thereof as may become available for the purposes described herein, is hereby appropriated from the general fund of the State (the moneys subject to such appropriation to be determined in accordance with the provisions of Section 3 of this Act) for the fiscal year of the State ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority to enable said authority to issue its bonds subsequent to the effective date of this Act and prior to January 1 September 30, 1982. The fees, expenses and other costs which may be paid with the moneys so appropriated shall include, but shall not be limited to, (i) fees charged by lending institutions and other financial institutions for services provided in connection with the financing of certain mortgages, including, but without limitation thereto, fees for placing, servicing and administering mortgages and trust funds, fees for acting as paying agent, and fees and charges for providing commitments to refinance mortgage loans initially financed with proceeds from the sale of bonds of the Alabama Housing Finance Authority, (ii) charges of rating agencies and printing expenses; (iii) underwriting, accounting, legal and administrative expenses; (iv) costs of insurance and performance bonds, (v) fees and charges for feasibility and mortgage market studies and (vi) other costs of issuance of bonds of the Alabama Housing Finance Authority and costs of other services provided by the State to said authority.

Section 3. Source of Appropriation. For the purpose of the appropriation made in this Act, the income from the investment and reinvestment of the advance rentals received by the State at any time after January 1, 1981, and before May 21, 1981, from the leasing of rights to explore and drill for or to produce oil, gas or other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area and the income from the investment and reinvestment of such moneys (including income from the investment and reinvestment of previously derived income) shall be considered as a separate fund within the general fund of the State. The moneys appropriated herein shall consist of moneys in the said separate fund, to the extent that such moneys are available for such appropriation. Subject to the provisions of Section 5 hereof, the moneys in the said separate fund which are herein appropriated shall be held apart from any permanent trust fund created by any constitutional amendment proposed at the session of the Legislature at which this Act is adopted and shall not be included with the moneys transferred into such permanent trust fund Any provision of law

requiring the transfer of the moneys in the said separate fund from the general fund of the State to a permanent trust fund to the contrary notwithstanding, the moneys in the said separate fund which are herein appropriated shall be held apart from such permanent trust fund and not included with the moneys transferred thereto. If for any reason moneys in the aforesaid separate fund are not available for the appropriation made in this Act, the moneys so appropriated shall come from the general fund of the State.

Section 4. Disbursement of Appropriated Moneys. The moneys herein appropriated shall be disbursed only upon the delivery to the State Comptroller of requisitions signed by the chairman of the board of directors of the Alabama Housing Authority and the Governor having attached thereto a resolution of the Alabama Housing Finance Authority requesting such disbursement and setting forth the names of the directors of said Authority voting in favor of such request for disbursement. Each such requisition must state the fees, charges and other expenses to be paid pursuant thereto, the persons, firms and corporations to whom such fees, charges and other expenses are owed and the amount payable to each of such persons, firms and corporations. Upon the receipt of a requisition containing such information and signed as aforesaid, the State Comptroller shall draw warrants in such amounts and payable to such persons, firms and corporations as shall be necessary to provide for the payment of all the fees, charges and other expenses described in such requisition.

Section 5. Termination of Appropriation. If no bonds are issued by the Alabama Housing Finance Authority prior to January 1 September 30, 1982, or if, in the event that bonds of said authority are issued prior to said date, the Director of Finance of the State shall determine that, taking into account any moneys which may have been made available to said authority from another source, the disbursement use of all of the moneys appropriated herein is not required to enable said authority to issue such bonds, then, in either of such events, the appropriation made herein of moneys not needed for the issuance of such bonds shall terminate and such moneys shall remain in the general fund of the State; provided, however, that if any constitutional amendment proposed at the session of the Legislature at which this act is adopted provides for the creation of a permanent trust fund, and if such constitutional amendment provides for the transfer into such permanent trust fund of the money considered as a separate fund within the general fund of the State under the terms of Section 3 of this Act, then any moneys appropriated herein which have not been expended or encumbered prior to October 1, 1982 for the payment of expenses incurred by the Alabama Housing Finance Authority in the issuance of such bonds shall not be held apart from such permanent trust fund, but shall be transferred thereto on October 1, 1982. appropriations made herein shall terminate and any moneys subject to such appropriations which have not been disbursed prior to such termination shall remain in the general fund of the State. Any provision of this Act to the contrary notwithstanding, in the event that the moneys considered as a separate fund within the general fund of the State under the terms of Section 3 of this Act shall be transferred by law to a permanent trust fund, then any moneys initially subject to the appropriation made herein which are not disbursed pursuant thereto as the result of the termination of such appropriation shall not be held apart from such permanent trust fund, but shall be included with the moneys transferred thereto.

Section 6. Severability. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. *Effective Date.* This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

COMMITTEE ON CONFERENCE REPORT ADOPTED

On motion of Rep. Clark (G), the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 73, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bedsole, Bennett, Biddle, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Clark (G), Coburn, Cooley, Cosby, Crow, Daniels, Drinkard, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Johnson (R. G.), Laird, Langford, Letson, McMillan, Manley, Minus, Moore, Naramore, Owens, Patton, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Williams, Willis and Wyatt.

—67

And the bill:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1, 1982, and to provide that the moneys so appropriated shall be income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Barton, Bennett, Biddle, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harvey, Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Laird, Langford, Letson, Lewis, McMillan, Manley, Minus, Moore, Naramore, Olive, Owens, Parker, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Wyatt.

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 106. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of County Line, in Blount County.

Also:

H. 110. Relating to Fayette County; setting fees for pistol permits; providing for disposition of the proceeds from such fees and specifically repealing Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended by Act No. 734, H. 1283, Regular Session 1976 (Acts 1976, p. 1015), and all other laws in conflict herewith.

Also:

H. 111. To further regulate the sale of alcoholic beverages and the distribution of local municipal alcoholic beverage tax in Lauderdale County.

Also:

H. J. R. 47. COMMENDING JUDGE JOSEPH MONROE HOCKLANDER UPON HIS RETIREMENT AS PRESIDING JUDGE OF THE 13TH JUDICIAL CIRCUIT IN MOBILE, ALABAMA.

Also:

H. 108. Proposing an amendment to the Constitution of 1901, to repeal Amendment No. 132 of the Constitution of 1901, relating to altering or re-arranging or reducing or abolishing Macon County.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Joint Resolution:

S. J. R. 33. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 48. DIRECTING THE COMMISSIONER OF THE DEPARTMENT OF REVENUE TO WITHDRAW THE NEW PROPERTY TAX REASSESSMENT PLAN RECENTLY PROMULGATED.

Also:

H. J. R. 61. ENTENDING CONGRATULATIONS AND BEST WISHES TO MS. ROBIN WOODARD AND MR. RALPH HOLMES.

Also:

H. J. R. 64. CONGRATULATING THE HOMEWOOD HIGH SCHOOL BAND ON ITS SELECTION TO LEAD THE MACY'S THANKSGIVING DAY PARADE.

S. J. R. 17 TAKEN UP

The resolution, S. J. R. 17 which was postponed temporarily with pending amendment on the eighth legislative day, was taken up.

SUBSTITUTE OFFERED

Rep. Owens offered the following substitute to the resolution, S. J. R. 17, with pending amendment:

AMENDING S. J. R. 19, ACT NO. 81-954, 1981 FIRST SPECIAL SESSION, RELATING TO INTERIM LEGISLATIVE COMMITTEE TO STUDY FEDERAL BLOCK GRANTS, SO AS TO PROVIDE FUNDS FOR ADVERTISING.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That S. J. R. 19, Act No. 81-954, 1981 First Special Session, is hereby amended to read as follows:

"That there is hereby created a joint interim committee to be composed of members of the Senate Finance and Taxation Committee, members of the House Ways and Means Committee and two members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets concerning the acquisition, maintenance and allocation of Federal Block Grants except those relating to health and welfare.

"Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the Legislature not later than the fifth legislative day of the 1982 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session or if a

member is being paid any other payments on the same dates for attendance of other state business. The total of such expenses shall not exceed \$15,000; provided, however, the committee is authorized to expend an additional amount up to \$15,000 for advertising."

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 58; Nays 2.

Yeas:

Reps. Adams (C), Barton, Bedsole, Biddle, Blake, Bowling, Brakefield, Buskey, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cooley, Cosby, Crow, Edwards, Ford, Gafford, Gilmer, Grimsley, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, McMillan, Minus, Mitchell, Moore, Naramore, Parker, Pegues, Rains, Riddick, Roberts, Seibels, Smith (C), Smith (M), Starkey, Stewart, Turner, Turnham, Venable, Williams, Willis, Wyatt and Zoghby.

—58

Nays: Reps. Hall and Trammell.

—2

AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following amendment to the resolution, S. J. R. 17 as amended:

Amend substitute S. J. R. 17 by adding on page 2 line twelve (12) after the period, "No member shall be reimbursed for out-of-state travel or expenses.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 0.

Yeas:

Reps. Adams (C), Bedsole, Bennett, Blake, Bowling, Brakefield, Carter, Cates, Cheatwood, Clark (W), Cooley, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Holley, Holmes, Johnson (R. G.), Johnson (Roy), Kennedy, Letson, McMillan, Minus, Mitchell, Naramore, Parker, Penry, Rains, Ray, Riddick, Roberts, Seibels, Shavers, Shoemaker, Smith (C), Starkey, Stewart, Stout, Trammell, Turner, Venable, Warren, Willis, Wyatt and Zoghby.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the resolution, S. J. R. 17 as amended, was adopted.

Yeas 67; Nays 3.

Yeas:

Reps. Adams (C), Adams (H), Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Cooley, Cosby, Crow, Dial, Edwards, Gilmer, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Holley, Holmes, Horn, Howard, Johnson (R. G.), Johnson (Roy), Kennedy, Langford, Letson, McMillan, Manley, Minus, Mitchell, Naramore, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Shoemaker, Smith (C), Smith (M), Stewart, Stout, Turner, Turnham, Venable, Waggoner, Ward, Warren, Williams and Willis.

—67

Nays: Reps. Hall, Trammell and Wyatt.

—3

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolutions, your signature thereto is requested:

S. 65. To make a supplemental appropriation from the Alabama special educational trust fund to the Alabama Department of Youth Services for the fiscal year ending September 30, 1982, for the purposes of subsidizing in part certain regional juvenile detention centers and other purposes; and to state legislative intent.

Also:

S. J. R. 32. EXPRESSING THE LEGISLATURE'S PRIDE IN THE SECOND SUCCESSFUL LAUNCH AND FLIGHT OF THE HISTORIC COLUMBIA SPACE SHUTTLE.

Also:

S. J. R. 35. URGING THE CREATION OF A CENTER FOR APPLIED EDUCATIONAL RESEARCH AND DEVELOPMENT.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Turnham to suspend the rules in order to take up out of order the bill, S. 20, was lost, lacking a four-fifths vote.

Yeas 36; Nays 21.

Yeas:

Reps. Adams (C), Bennett, Biddle, Blake, Buskey, Campbell, Carter, Cates, Cobb, Cosby, Crow, Edwards, Gilmer, Grimsley, Grouby, Hammett,

Harper (O), Higginbotham, Johnson (R. G.), Letson, McMillan, Minus, Mitchell, Parker, Patton, Penry, Reed, Roberts, Trammell, Turnham, Venable, Waggoner, Ward, Whatley, Williams and Willis.

—36

Nays:

Reps. Bedsole, Bowling, Dial, Escott, Hall, Harper (T), Harrison, Holley, Holmes, Howard, Johnson (Roy), Naramore, Olive, Payne, Pegues, Rains, Seibels, Shavers, Stout, Tucker and Wyatt.

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MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Ray, the rules were suspended in order to take up out of order the bill, S. 14.

Yeas 46; Nays 3.

Yeas:

Reps. Bennett, Bowling, Brakefield, Campbell, Carter, Cheatwood, Cobb, Cosby, Crow, Edwards, Ford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Higginbotham, Holley, Johnson (R. G.), Johnson (Roy), Langford, Letson, McMillan, Moore, Naramore, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Riddick, Roberts, Seibels, Shavers, Shoemaker, Smith (J), Starkey, Stout, Whatley, Williams, Willis and Wyatt.

—46

Nays: Reps. Payne, Rains and Trammell.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 14. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Reps. Adams (H), Bedsole, Bennett, Bowling, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Cobb, Cosby, Crow, Dial, Drinkard, Edwards, Ford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (T), Harvey, Higginbotham, Holley, Horn, Johnson (Roy), Langford, Letson,

McMillan, Moore, Olive, Owens, Parker, Patton, Pegues, Penry, Ray, Reed, Riddick, Roberts, Seibels, Shavers, Shoemaker, Smith (J), Starkey, Stout, Ward, Whatley, Williams, Willis and Wyatt.

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RESOLUTIONS

The following resolution was introduced:

By Rep. Holmes:

H. J. R. 68. CONGRATULATING COACH PAUL BRYANT ON HIS 314TH VICTORY.

WHEREAS, with the Crimson Tide's big win, 31-16 over Penn State, Coach Paul "Bear" Bryant tied the career victory record of Coach Amos Alonzo Stagg to share the title of college football's winningest coach in history; and

WHEREAS, at 314, Coach Bryant stands just one game away from football history, breaking a record which has long stood unchallenged by college football coaches throughout the country; and

WHEREAS, it is to be noted that 223 of Coach Bryant's victories have been during his 24-season tenure as head coach of the University of Alabama's Crimson Tide; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly congratulate and commend Coach Paul W. Bryant and, on behalf of all citizens of Alabama, wish him the best of luck as he and the Tide look to number 315 and the all-time record in the history of college football.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Coach Bryant in token of our esteem.

The resolution, H. J. R. 68, was read and referred to the Standing Committee on Rules.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Coburn:

H. R. 69. COMMENDING MISS ELIZABETH ANNE WALDEN FOR OUTSTANDING ACADEMIC ACHIEVEMENT.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Little, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 37. MOURNING THE UNTIMELY DEATH OF ALAN MANLEY OF ALBANY, GEORGIA.

WHEREAS, it is with a deep sense of sorrow and remorse that the Legislature of Alabama notes the tragic and untimely death of Alan Manley on November 17, 1981; and

WHEREAS, a native of Albany, Georgia, Alan was a graduate of Deerfield High School, where he was twice named as an all-state defensive lineman, before he signed to play football at Auburn University; and

WHEREAS, Alan was the first player that Coach Pat Dye signed after becoming head coach in early January, 1981, and even as a freshman distinguished himself as an offensive guard on the varsity team; and

WHEREAS, Alan's enthusiasm for the sport of football and the spirit of the team deeply endeared him to his fellow players and coaches; and

WHEREAS, his youthful outlook, vivacity and warm personality served as an inspiration to all with whom he came in contact; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most grievously mourn the recent and untimely passing of Alan Manley and extend our deepfelt sympathy to his family.

RESOLVED FURTHER, that copies of this resolution be sent to the family of Alan Manley and to the Athletic Department of Auburn University.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 37, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Little, Bailey, Barron, Britnell, Callahan, Cook, deGraffenried, Denton, Figures, Glass, Goodwin, Gullede, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Robertson, St. John, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 38. MOURNING THE DEATH OF CARY CONDRA Y.

WHEREAS, Coach Pat Dye and everyone associated with Auburn football were stunned by the news of the tragic and untimely death of freshman Auburn football player Cary Condray, and his teammate Alan Manley; and

WHEREAS, Cary Condray, who played outstanding high school football at E. B. Erwin High School in Birmingham, will be greatly missed by his family and friends, as well as everyone in the Auburn football program; and

WHEREAS, we extend our sincerest and warmest sympathies and prayers to Cary's family; and

WHEREAS, Cary's enthusiasm for the sport of football and the spirit of the team deeply endeared him to his fellow players and coaches; and

WHEREAS, Cary was truly a credit to his family, his high school, Auburn University and to everyone associated with him; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the tragic death of Cary Condray and that we extend to his family and friends our sincere condolences.

RESOLVED FURTHER, That copies of this resolution be sent to the family of Cary Condray and to the Athletic Department of Auburn University.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted resolution, S. J. R. 38, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Mitchem and Hall:

S. J. R. 39. DESIGNATING A PORTION OF U.S. HIGHWAY 78 "GEORGE LINDSEY HIGHWAY".

WHEREAS, George "Goober" Lindsey was born and raised in the City of Jasper, Alabama; and

WHEREAS, George "Goober" Lindsey, through his philanthropic efforts, was largely responsible for the financing of the George Lindsey Aquatic Center at Partlow State School in Tuscaloosa, Alabama; and

WHEREAS, George "Goober" Lindsey has raised and donated over \$26,000 to the Alabama Association of Retarded Citizens through benefit performances; and;

WHEREAS, George "Goober" Lindsey will be celebrating the tenth anniversary of the "George Lindsey Celebrity Golf Weekend" in 1982, having raised over \$500,000 to support athletic and physical fitness programs that have benefitted thousands of Alabamians; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That all that portion of U.S. Highway 78 from the Marion-Walker County Line to the Walker-Jefferson County Line, except that portion of U.S. 78 from mile post 57.71 to the intersection of Alabama 69 with U.S. 78, is designated as the "George Lindsey Highway."

RESOLVED FURTHER, That the President of the Senate shall cause a copy of this resolution to be sent to Mr. George "Goober" Lindsey.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 39 set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 61. EXTENDING CONGRATULATIONS AND BEST WISHES TO MS. ROBIN WOODARD AND MR. RALPH HOLMES.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 48. DIRECTING THE COMMISSIONER OF THE DEPARTMENT OF REVENUE TO WITHDRAW THE NEW PROPERTY TAX REASSESSMENT PLAN RECENTLY PROMULGATED.

Also:

H. J. R. 64. CONGRATULATING THE HOMEWOOD HIGH SCHOOL BAND ON ITS SELECTION TO LEAD THE MACY'S THANKSGIVING DAY PARADE.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

I hereby certify that the House Joint Resolutions and House bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:50 A.M. on November 19, 1981.

H. 15

H. 82

Delivered to the Governor at 10:55 A.M. on November 19, 1981.

H. 37

Delivered to the Governor at 11:30 A.M. on November 19, 1981.

H. 20 (Executive Amendment)

H. J. R. 51

H. J. R. 54

H. J. R. 55

Delivered to the Governor at 11:50 A.M. on November 19, 1981.

H. 106

H. 110

H. 111

H. J. R. 47

Delivered to the Secretary of State at 11:55 A.M. on November 19, 1981.

H. 108 (Constitutional Amendment)

Delivered to the Governor at 12:52 P.M. on November 19, 1981.

H. J. R. 61

H. J. R. 48

H. J. R. 64

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Rep. Gafford and pursuant to the resolution, H. R. 66 heretofore adopted, the House adjourned until 1:00 o'clock p.m., Monday, November 30, 1981.

TENTH DAY

House of Representatives
Montgomery, Alabama
Monday, November 30, 1981

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Jack Farmer, Pastor, Ensley Baptist Church, Birmingham, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

LEIGH PEGUES,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 2. COMMITTEE APPOINTED TO NOTIFY GOVERNOR
THE LEGISLATURE IS IN SESSION.

Also:

H. J. R. 3. COMMITTEE APPOINTED TO ESCORT GOVERNOR
TO JOINT SESSION OF THE LEGISLATURE.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 56. CREATING AN INTERIM COMMITTEE ON NEW
GUIDELINES OF THE FARMER'S HOME ADMINISTRATION.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 67. To permit the sale, conveyance, lease or other disposition of water systems (or portions thereof) of certain non-profit entities to certain public authorities or corporations without the necessity of any approval or consent of the Public Service Commission.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 43. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to January 1 September 30,

1982, and to provide that the moneys so appropriated shall be certain moneys income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

And said Bill, H. B. 73, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

At the request of Rep. Manley, leave of absence was granted for Reps. Hines and Biddle due to illness, and for Rep. Dixon due to illness in the family.

RESOLUTIONS

The following resolution was introduced:

By Rep. Manley:

H. J. R. 70. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when we adjourn today, Monday, November 30, 1981, we adjourn sine die.

On motion of Rep. Manley, the rules were suspended and the resolution, H. J. R. 70, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Ray, Adams (C), Adams (H), Albright, Amari, Barton, Bedsole, Bennett, Biddle, Blake, Boles, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Coburn, Cooley, Cosby, Crow, Daniels, Dial, Dixon, Drinkard, Edwards, Escott, Ford, Gafford, Gilmer, Goodwin, Gregg, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Harrison, Harvey, Higginbotham, Hines, Holley, Holmes, Horn, Howard, Jackson, Johnson (R. G.), Johnson (Roy), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McCorquodale, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Nevett, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Reed, Riddick, Roberts, Sandusky, Sasser, Seibels, Shavers, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Stewart, Stout, Trammell, Tucker, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zogibby.

H. R. 71. MOURNING THE DEATH OF GEORGE STEVEN WATKINS.

Also:

By Rep. Amari:

H. R. 72. EXTENDING CONGRATULATIONS AND BEST WISHES TO MISS KAREN SUE LOVE AND MR. WILLIAM ANTHONY AMARI.

Also:

By Reps. Smith (J) and Carter:

H. R. 73. COMMENDING MR. JAMES LOUIE HUNTER, EXECUTIVE DIRECTOR OF THE ATHENS-LIMESTONE CHAMBER OF COMMERCE.

BILLS POSTPONED

On motion of Rep. Manley, all House Bills on the Calendar were indefinitely postponed.

RESOLUTION

The following resolution was introduced:

By Rep. Dial:

H. J. R. 74. COMMENDING THE RANBURNIE HIGH SCHOOL BULLDOGS ON AN OUTSTANDING 1981 FOOTBALL SEASON.

WHEREAS, the Alabama Legislature notes with utmost praise the perfect 10-0-0 1981 regular season record of the Ranburnie High School Bulldogs; and

WHEREAS, under the direction of Coaches Harlan Robinson, David Mobley and Tim Smith, this powerhouse Cleburne County 1A team beat such formidable opponents as Donoho, White Plains, Wadley, ASD, New Site and Ragland; and

WHEREAS, three 2A teams . . . Ohatchee, Woodland and Wedowee . . . also were soundly whipped by the Dogs, as was 3A Bowdon High School from Georgia; and

WHEREAS, undefeated in regular season play were varsity team members Ken Pollard, Jeff Hornsby, John Jackson, David Loveless, Lee Benefield, Bryan Edwards, Junior Slaton, Jody Kaylor, Steven Huddleston, Mark Griffin, Dennis Wright, David Steen, Terrell Mobley, Lee Darnell, Bart Young, Danny Turner, Rocky Pollard, Scotty Kimbrell, Jimmy Smith, Greg Young, Daryl Weathers and Rodney Skinner; and

WHEREAS, leading the cheers for the Bulldogs' fans were cheerleaders Kim Lowery, Lorie Gibbs, Leigh Hall, Lesa Pollard, Suzanne Stephens and Christi Hanson; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend and congratulate the Ranburnie High School Bulldogs on their spectacular 1981 season and direct that a copy of this resolution be provided for appropriate school display with copies also sent to Coaches Robinson, Mobley and Smith and to each team member and cheerleader.

On Motion of Rep. Dial, the rules were suspended and the resolution, H. J. R. 74, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 14. To repeal Section 11-52-74, Code of Alabama 1975, and to amend Section 11-52-77, Code of Alabama 1975, which Sections relate to the procedures for adoption of zoning ordinances, so as to provide procedures and requirements of publication in a newspaper of general circulation within the municipality, or if no such newspaper is published to provide procedures and requirements of posting notice of proposed zoning ordinance, and notice shall be given of the time and place that such ordinances are to be considered and stating that all persons shall have an opportunity of being heard in opposition or in favor of such ordinance.

Also:

S. 28. Relating to Etowah County; to provide for a uniform maintenance allowance and for hazardous pay for deputy sheriffs.

Also:

S. J. R. 33. MOURNING THE TRAGIC DEATH OF THE REVEREND J. KING CHANDLER, III, OF BIRMINGHAM, ALABAMA.

Also:

S. J. R. 37. MOURNING THE UNTIMELY DEATH OF ALAN MANLEY OF ALBANY, GEORGIA.

Also:

S. J. R. 38. MOURNING THE DEATH OF CARY CONDRAY.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF CONFERENCE COMMITTEE

H. J. R. 41

We, the Committee on Conference appointed to reconcile the differences between the two Houses concerning House Joint Resolution 41 have met, considered the matter and agreed to the following report.

We recommend that the attached Conference Committee Substitute to H. J. R. 41 be adopted by both Houses.

JACK B. VENABLE,
TOMMY ED ROBERTS,
GEORGE N. CLARK,

Conferees on the part of the House.

G. J. HIGGINBOTHAM,
ALBERT McDONALD,
JOHN A. TEAGUE,

Conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT FOR H. J. R. 41

H. J. R. 41. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN PROPOSED CONSTITUTIONAL AMENDMENTS; PROVIDING FOR CERTAIN EXCEPTIONS; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon the Constitutional Amendments proposed by the 1981 Regular Session and First and Second and Third Special Sessions of the Legislature be held on the first Tuesday after the expiration of ninety (90) days following adjournment of the 1981 Third Special Session, on March 2, 1982; provided, however, the Constitutional Amendments proposed by Act No. 81-931, H. 13, 1981 First Special Session and Act No. 81-889, S. 32, 1981 First Special Session shall be placed on the September 1982 primary or the November 1982 general election ballot.

BE IT FURTHER RESOLVED, That Act No. 81-673, H. J. R. 377 of the 1981 Regular Session, designating November 2, 1982, for elections on proposed constitutional amendments, is hereby specifically repealed and rescinded.

RESOLVED FURTHER, That copies of this resolution shall be sent forthwith by the Clerk of the House to the Governor and the Secretary of State.

REPORT OF COMMITTEE ON CONFERENCE

Rep. Venable offered the motion that the House concur in and adopt the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the resolution, H. J. R. 41.

SUBSTITUTE MOTION ADOPTED

Rep. Roberts offered the substitute motion that the House non-concur in the Report of the Committee on Conference on the resolution, H. J. R. 41, and the substitute motion was adopted.

Yeas 74; Nays 8.

Yeas:

Reps. Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Clark (W), Cobb, Coburn, Cosby, Dial, Drinkard, Edwards, Ford, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Horn, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Riddick, Roberts, Sasser, Seibels, Smith (C), Smith (J), Starkey, Stewart, Stout, Trammell, Turner, Turnham, Waggoner, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

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Nays:

Reps. Boles, Cheatwood, Clark (G), Crow, Higginbotham, Jackson, Langford and Venable.

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 71. To implement the provisions of an amendment to the Constitution of Alabama of 1901 authorizing the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvements consisting of (i) public roads, streets, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x) public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; to pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on said bonds; to create a bond commission with authority to determine the details of said bonds and to sell and issue the same; to provide for the terms, execution and issuance of said bonds; to provide for the investment and reinvestment of the proceeds of such bonds pending the disbursement thereof; to allocate the proceeds of said bonds, together with the investment income derived from said proceeds, to the purposes for which they are to be expended; to authorize the issuance of refunding bonds for the purpose of refunding any outstanding bonds issued pursuant to this Act; and to exempt from taxation in the State the interest on all bonds issued pursuant to this Act and the income therefrom.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 72. To propose a self-executing amendment to the Constitution of Alabama of 1901 which will create a permanent trust fund for the benefit of the State and the citizens thereof, provide for the funding of such trust fund with certain moneys derived by the State from the leasing of its rights in offshore oil, gas and other hydrocarbon minerals, create a board of trustees to manage such trust fund and prescribe the powers thereof, provide for the investment of moneys held in such trust fund, provide for the appropriation by the Legislature of the income from such trust fund, limit the liability of individual members of the board of trustees of such trust fund, and establish a legislative oversight commission.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

Also:

H. 76. To appropriate ten million dollars (\$10,000,000) from income from the investment of certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the support and encouragement of educational, agricultural, maricultural and industrial activities involving basic and applied scientific research and development.

Also:

H. 78. To appropriate six million dollars (\$6,000,000) from income from the investment of certain moneys derived by the State from the leasing of rights in offshore oil, gas and other hydrocarbon minerals for the reimbursement of the counties of the State for expenses incurred by such counties in the incarceration or confinement of convicts or other prisoners who are the responsibility of the State.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 75. To propose an amendment to the Constitution of Alabama of 1901 that will authorize the State of Alabama to become indebted and to sell and issue its interest bearing general obligation bonds, in addition to all other bonds of the State, in an aggregate principal amount not exceeding \$520,000,000 for the purpose of paying the capital costs of public facilities and works of internal improvement consisting of (i) public roads, streets, highways and bridges, (ii) buildings, equipment and other facilities for public schools, public technical and vocational schools and public institutions of higher education, (iii) state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other facilities necessary or useful in connection with prisons and other penal or correctional facilities, (iv) mental hospitals and other mental health facilities, (v) the improvement of navigation in Mobile Harbor and the construction and installation of dock and wharf facilities in Mobile Harbor and on navigable inland waterways, (vi) the renovation and restoration of buildings in the main governmental complex of the State, including the State Capitol Building and the present headquarters office building of the State Highway Department; (vii) the construction and equipment of a new headquarters office building for the State Highway Department, (viii) facilities for the Alabama Department of Youth Services, (ix) the renovation and restoration of the State Coliseum, (x)

public parks and park facilities, the acquisition of land for conservation and preservation by the Alabama Department of Conservation and Natural Resources, planting of shells to be used as culch for the improvement of oyster cultivation and other maricultural activities in Alabama coastal waters, bays and sounds, and (xi) equipment for the Alabama Educational Television Commission; that will authorize the refunding of said bonds through the sale and issuance of refunding bonds; that will pledge the full faith and credit of the State for payment of the principal of and interest and premium (if any) on all bonds issued pursuant to said amendment; and that will provide certain terms and conditions with respect to the sale and issuance of bonds issued pursuant to said amendment.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 73. To appropriate six million five hundred thousand dollars (\$6,500,000) from the general fund of the State, for the fiscal year ending September 30, 1982, for the purpose of paying costs incurred by the State in providing services to the Alabama Housing Finance Authority in connection with the issuance of bonds by said authority prior to September 30, 1982, and to provide that the moneys so appropriated shall be income from the investment of certain advance rentals derived by the State from the leasing of rights to explore and drill for or to produce oil, gas and other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 43. To repeal Act No. 707 of the Regular Session of the Legislature of Alabama of 1977 (Ala. Acts, 1977, pp. 1249 and 1250).

Also:

H. 67. To permit the sale, conveyance, lease or other disposition of water systems (or portions thereof) of certain non-profit entities to certain public authorities or corporations without the necessity of any approval or consent of the Public Service Commission.

Also:

H. J. R. 2. Relative to appointing a committee to notify the Governor that the Legislature is in session.

Also:

H. J. R. 3. Relative to a joint session of the legislature on Tuesday, November 3, 1981, for the purpose of hearing the message of the Governor and also appointing a committee to escort the Governor to the House for the joint session.

Also:

H. J. R. 56. CREATING AN INTERIM COMMITTEE ON NEW GUIDELINES OF THE FARMER'S HOME ADMINISTRATION.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House.

H. 24. To prescribe that no more than one commercial hazardous waste treatment facility or disposal site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste treatment facility or disposal site.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Rep. Minus offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 24, said Senate amendment being as follows:

Amend House Bill No. 24 on Page 1, Line 33, by striking out the words "legislative enactment" and inserting in lieu thereof the word "resolution".

SUBSTITUTE MOTION TABLED

On motion of Rep. Minus, the substitute motion offered by Rep. Starkey that the House non-concur in the Senate amendment to the bill, H. 24, was tabled.

Yeas 50; Nays 18.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Cabaniss, Carothers, Cates, Clark (G), Cosby, Crow, Edwards, Escott, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Holmes, Horn, Jackson, Johnson (R. G.), Laird, Langford, McKee, Manley, Minus, Owens, Parker, Pegues, Ray, Riddick, Seibels, Shoemaker, Smith (C), Smith (M), Turnham, Venable, Ward, Whatley, Williams, Willis and Zoghby.

—50

Nays:

Reps. Brakefield, Carter, Cheatwood, Coburn, Hall, Higginbotham, Kennedy, Letson, McMillan, Patton, Penry, Rains, Roberts, Starkey, Stewart, Turner, Warren and Wyatt.

—18

The question was then on the motion offered by Rep. Minus, that the House concur in and adopt the Senate amendment to the bill, H. 24, and the motion was adopted.

Yeas 58; Nays 9.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Cates, Clark (G), Cobb, Coburn, Cosby, Crow, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Holmes, Horn, Howard, Jackson, Johnson (R. G.), Kennedy, Laird, Langford, McKee, Manley, Minus, Owens, Parker, Payne, Pegues, Ray, Riddick, Roberts, Seibels, Shoemaker, Smith (C), Smith (M), Stewart, Stout, Turnham, Venable, Ward, Williams, Willis, Wyatt and Zoghby.

—58

Nays:

Reps. Carter, Cheatwood, Hall, Letson, Patton, Rains, Starkey, Turner and Warren.

—9

And the bill, H. 24 as thus amended, was again read at length and passed.

Yeas 59; Nays 13.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Cates, Clark (G), Cobb, Cosby, Crow, Edwards, Escott, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Holmes, Horn, Howard, Jackson, Laird, Langford, Lewis, McKee, Manley, Minus, Owens, Parker, Payne, Pegues, Ray, Reed, Riddick, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Stewart, Stout, Turnham, Venable, Ward, Williams, Willis, Wyatt and Zoghby.

—59

Nays:

Reps. Carter, Cheatwood, Coburn, Hall, Letson, McMillan, Patton, Penry, Rains, Roberts, Starkey, Turner and Warren.

—13

RESOLUTION

The following resolution was introduced:

By Rep. Venable:

H. J. R. 75. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN PROPOSED CONSTITUTIONAL AMENDMENTS; PROVIDING FOR CERTAIN EXCEPTIONS; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon the Constitutional Amendments proposed by the 1981 Regular Session and First and Second and Third Special Sessions of the Legislature be held on the first Tuesday after the expiration of ninety (90) days following adjournment of the 1981 Third Special Session, on March 2, 1982; provided, however, the Constitutional Amendment proposed by Act No. 81-889, S. 32, 1981 First Special Session shall be placed on the September 1982 primary or the November 1982 general election ballot.

BE IT FURTHER RESOLVED, That Act No. 81-673, H. J. R. 377 of the 1981 Regular Session, designating November 2, 1982, for elections on proposed constitutional amendments, is hereby specifically repealed and rescinded.

RESOLVED FURTHER, That copies of this resolution shall be sent forthwith by the Clerk of the House to the Governor and the Secretary of State.

On motion of Rep. Venable, the rules were suspended and the resolution, H. J. R. 75, was adopted.

BILLS ON THE THIRD READING

And the bill:

S. 48. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Albright, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Cobb, Edwards, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holmes, Johnson (R. G.), Laird, Langford, Letson, Lewis, Minus, Naramore, Olive, Owens, Parker, Payne, Rains, Ray, Reed, Roberts, Seibels, Smith (C), Starkey, Trammell, Turnham, Venable, Ward, Williams, Willis, Wyatt and Zoghby.

—53

BILLS TEMPORARILY POSTPONED

On motion of Rep. Manley, the bills, S. 46, S. 41, S. 39, S. 44 and S. 42, were temporarily postponed.

MOTION TO TEMPORARILY POSTPONE TABLED

On motion of Rep. Turnham, the motion offered by Rep. Pegues to temporarily postpone the bill, S. 20, was tabled.

Yeas 47; Nays 17.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Boles, Bowling, Campbell, Carter, Cates, Cobb, Coburn, Crow, Daniels, Drinkard, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Higginbotham, Horn, Howard, Kennedy, Laird, McMillan, Mitchell, Moore, Patton, Payne, Penry, Ray, Reed, Smith (C), Starkey, Stewart, Trammell, Turnham, Ward, Whatley, Willis and Zoghby.

—47

Nays:

Reps. Cheatwood, Cosby, Dial, Escott, Hall, Holley, Kelley, McKee, Manley, Naramore, Olive, Pegues, Rains, Riddick, Seibels, Turner and Wyatt.

—17

And the bill:

S. 20. To amend Section 12-17-61, Code of Alabama 1975, relating to the number of district court judges in the State of Alabama so as to provide two district court judges for Lee County and to provide for the time of establishment of such judgeship No. 2 and for the appointment of and election of such additional district judge.

Was taken up.

AMENDMENT OFFERED

Rep. Dial offered the following amendment to the bill, S. 20:

Amend Senate Bill 20 on page 2, line 5, by striking run at large from both counties and adding in lieu thereof the following: one such judge shall reside in Cleburne County.

AMENDMENT TABLED

On motion of Rep. Campbell, the amendment offered by Rep. Dial to the bill, S. 20, was tabled.

Yeas 40; Nays 14.

Yeas:

Mr. Speaker, Adams (C), Amari, Bedsole, Bennett, Blake, Campbell, Carter, Coburn, Crow, Daniels, Gafford, Goodwin, Grimsley, Grouby, Harper (O), Higginbotham, Howard, Kennedy, Letson, Moore, Owens, Patton, Penry, Ray, Roberts, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Ward, Warren, Whatley, Willis and Zoghby.

—40

Nays:

Reps. Cates, Cheatwood, Dial, Gilmer, Hall, Harper (T), Holley, Laird, Minus, Naramore, Olive, Payne, Rains and Wyatt.

—14

And the bill, S. 20, was read a third time at length and passed.

Yeas 60; Nays 12.

Yeas:

Mr. Speaker, Adams (C), Adams (H), Amari, Barton, Bedsole, Bennett, Blake, Boles, Bowling, Brakefield, Campbell, Carter, Cates, Cobb, Coburn, Cooley, Crow, Daniels, Drinkard, Edwards, Ford, Gafford, Goodwin, Grimsley, Grouby, Hammett, Harper (O), Harper (T), Harvey, Higginbotham, Howard, Kennedy, Laird, McMillan, Minus, Mitchell, Moore, Owens, Patton, Penry, Rains, Ray, Reed, Roberts, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—60

Nays:

Reps. Cheatwood, Dial, Gilmer, Hall, Holley, Holmes, McKee, Naramore, Olive, Pegues, Riddick and Turner.

—12

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 65. SETTING MEETING DAYS FOR THE LEGISLATURE.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Hall:

H. R. 76. COMMENDING MRS. JANE GILES JATTUSO, VICE PRESIDENT OF THE MADISON COUNTY ASSOCIATION OF VOLUNTEER FIRE DEPARTMENTS.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 24. To prescribe that no more than one commercial hazardous waste treatment facility or disposal site shall be situated in any one county and to require legislative approval for any such commercial hazardous waste treatment facility or disposal site.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 13. To increase from fifty dollars per month to one hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 75. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN PROPOSED CONSTITUTIONAL AMENDMENTS; PROVIDING FOR CERTAIN EXCEPTIONS; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 70. SINE DIE ADJOURNMENT.

Also:

H. J. R. 74. COMMENDING THE RANBURN HIGH SCHOOL BULLDOGS ON AN OUTSTANDING 1981 FOOTBALL SEASON.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 38. Relating to Coffee County; providing for a referendum election to submit to the qualified electors of Coffee County the question whether the Coffee County Commission shall be authorized to levy and impose a county sales tax and a county use tax; providing for the authority of the Coffee County Commission to levy such taxes generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, respectively; providing certain additional exemptions from such taxes; specifying the rates at which those taxes may be levied; providing for the ascertainment, collection, payment, distribution and use of the proceeds of those taxes if levied by the Coffee County Commission, and for the enforcement of this Act by the State Department of Revenue; providing for the termination of the taxes authorized to be levied hereunder; and prescribing penalties and fixing punishment for violations of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Holley, the House concurred in and adopted the Senate amendment to the bill, H. 38, said Senate amendment being as follows:

Amend Section 3, Page 5, Line 21 by inserting after the word "pesticides" the following words:

"for agricultural purposes"

Amend Section 9, Page 10, Line 34 by deleting the following language:

"shall state separately in the said certificate the amount of the proceeds so collected from the sales taxes authorized to be levied herein and the amount of the proceeds so collected from the use taxes authorized to be levied herein;"

Amend Section 11, Page 12, Line 23 as follows:

Delete the words "fifteen (15)" and insert in that place the words "thirty (30)"

Amend H. B. 38 at page 4, line 10 by deleting "35%" and substituting in lieu thereof, "a percentage"

and further at page 4, line 11, by deleting the word "shall" and substituting therefore the word "may"

and at page 4, line 12 by adding after the word "County" the following:

"such percentage, if any, to be determined by resolution of the Coffee County Commission adopted at the time of the levying of said taxes and as may be changed by resolution from time to time thereafter"

and at page 4, line 13, by deleting the words "remaining 65%" and substituting in lieu thereof the word "remainder"

and on page 11, line 16, by deleting the words "Thirty-five percent (35%)" and substituting in lieu thereof the following:

"A percentage, such percentage, if any, to be determined by resolution of the Commission adopted at the time of the levying of the taxes authorized to be levied in Section 3 of this Act, and as may be changed by resolution from time to time thereafter"

and at page 11, line 16, by deleting the word "shall" and substituting in lieu thereof the word "may"

and at page 11, line 23, by removing the words "remaining sixty-five percent (65%)" and substituting in lieu thereof the word "remainder"

Amend H. B. 38 at page 1, line 12 by inserting after the word "election" the words "or elections"

and at page 4, line 30 by inserting at the end of that paragraph the following:

"If a majority of the votes cast at the referendum election is negative, the Commission may call a second referendum election to be held in the same manner and using the same ballot as the first, said second election to be held not later than one year from the date of the first referendum election."

and at page 4, line 32 by inserting before the words "referendum election" the word "second"

and at page 4, line 34 by inserting before the word "referendum" the words "first or second"

Amend H. B. 38 at page 2, line 18 by changing the period after the word "necessary" to a comma and inserting after the comma the following:

"or, in the event a constitutional amendment is adopted providing for a single county seat or a centrally-located judicial facility (including a jail) or jail to serve the Elba and Enterprise judicial districts in the County or an

election is held in which a majority of all the votes cast therein favor removal of the county seat to a single location, such construction and equipment of a new courthouse and jail in the location in the County provided for by law."

and at page 4, line 24 by inserting after the word "Elba" the following:

" , or, in the event a constitutional amendment is adopted providing for a single county seat or a centrally-located judicial facility (including a jail) or jail to serve the Elba and Enterprise judicial districts in the County or an election is held in which a majority of all the votes cast therein favor removal of the county seat to a single location, constructing and equipping a new courthouse and jail in the location in the County provided for by law"

and at page 13, line 25 by inserting after the word "Elba" the following:

" , or, in the event a constitutional amendment is adopted designating a single county seat in the County or providing for a centrally-located judicial facility (including a jail) or jail to serve the Elba and Enterprise judicial districts or an election is held in which a majority of all the votes cast therein favor removal of the county seat to a single location, a new courthouse and jail in the location in the County provided for by law,"

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Bowling, Brakefield, Carter, Cates, Cheatwood, Crow, Daniels, Edwards, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Kelley, Langford, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Owens, Penry, Rains, Ray, Roberts, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Turner, Venable, Ward, Warren, Whatley, Williams and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 38. Relating to Coffee County; providing for a referendum election or elections to submit to the qualified electors of Coffee County the question whether the Coffee County Commission shall be authorized to levy and impose a county sales tax and a county use tax; providing for the authority of the Coffee County Commission to levy such taxes generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, respectively; providing certain additional exemptions from such taxes; specifying the rates at which those taxes may be levied; providing for the ascertainment, collection, payment, distribution and use of the proceeds of those taxes if levied by the Coffee County Commission, and for the enforcement of this Act by the State Department of Revenue; providing for the termination of the taxes authorized to be levied hereunder; and prescribing penalties and fixing punishment for violations of this Act.

As thus amended, was again read at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Blake, Bowling, Brakefield, Cabaniss, Carter, Cates, Cheatwood, Crow, Daniels, Drinkard, Edwards, Escott, Gafford, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holmes, Horn, Howard, Kelley, Langford, McMillan, Mitchell, Moore, Naramore, Olive, Owens, Penry, Rains, Ray, Roberts, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Warren, Whatley, Williams, Willis and Zoghby.

—53

RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Cobb:

H. R. 77. MOURNING THE TRANSFER OF SCOTT SHEPARD.

Also:

By Rep. McKee:

H. R. 78. MOURNING THE DEATH OF WILLIAM T. GAY OF MONTGOMERY, ALABAMA.

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a message from the Governor concerning House Bill 74, which is being returned without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 30th day of November, 1981.

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you House Bill No. 74 without my signature and approval and with the suggested Executive Amendment set forth below. House Bill No. 74 concerns the appropriations made for the use of the Board of Corrections and the Department of Mental Health in Act No. 81-764 and Act. No. 81-770, respectively, enacted at the 1981 Regular Session of the Legislature. Both of these acts appropriate income to be derived from the

investment of advance rentals received by the State of Alabama from the leasing of rights to offshore oil and gas, and the purpose of House Bill No. 74 is to assure continued funding for the appropriations made in Act No. 81-764 and Act No. 81-770 in the event that the said oil and gas rentals, which constitute the source of income for such appropriations, are transferred to a permanent trust fund to be created by a proposed constitutional amendment. The purpose of the suggested Executive Amendment set forth below is to clarify the provisions of House Bill No. 74 and to assure that nothing contained therein or in Act No. 81-764 or Act No. 81-770 shall be construed to constitute an appropriation of any moneys other than the income derived from the investment of the aforesaid oil and gas rentals.

My suggested Executive Amendment to House Bill No. 74 is as follows:

Amend the bill in Section 1 thereof by deleting the definition "Oil and Gas Rentals" means "Oil and Gas Rentals" as defined and used in the Bond Implementing Act and by substituting in lieu thereof the new definition:

"Oil and Gas Rentals" means the advance rentals received by the State at any time after January 1, 1981, and before May 21, 1981, from the leasing of rights to explore and drill for or to produce oil, gas or other hydrocarbon minerals in any area on the water side of the high water mark of Mobile Bay or in any other offshore area.

Further amend the bill in the first sentence of Section 3 thereof by deleting, after the second comma, the language "Act No. 81-764 and Act No. 81-770 shall remain in full force and effect in all respects," and by substituting in lieu thereof the language "the appropriations of income derived from the investment of Oil and Gas Rentals that were made for the use of the Board of Corrections and the Department of Mental Health in Act No. 81-764 and Act No. 81-770, respectively, shall continue in full force and effect, but nothing contained in this Act or in Act No. 81-764 or Act No. 81-770 shall be construed as an appropriation of any of the principal of the Oil and Gas Rentals;"

Further amend the bill in paragraph (a) of Section 4 thereof by deleting the language "the aggregate amount of Oil and Gas Rentals and income from the investment thereof" which follows (i) in said paragraph (a) and by substituting therefor "the aggregate amount of income from the investment of Oil and Gas Rentals".

Further amend the bill in paragraph (a) of Section 4 thereof by changing the period at the end of the last sentence of said paragraph (a) to a comma, and by adding thereafter the language "but such appropriation shall in any event be payable from Trust Capital only to the extent of any accumulated income from the investment of Oil and Gas Rentals which at the time constitutes part of the Trust Capital."

Further amend the bill in paragraph (b) of Section 4 thereof by deleting the language "the aggregate amount of Oil and Gas Rentals and income from the investment thereof" which follows (i) in said paragraph (b) and by substituting therefor "the aggregate amount of income from the investment of Oil and Gas Rentals".

Further amend the bill in paragraph (a) of Section 5 thereof by deleting the language "the aggregate amount of Oil and Gas Rentals and income from the investment thereof" which follows (i) in said paragraph (a) and by substituting therefor "the aggregate amount of income from the investment of Oil and Gas Rentals".

Further amend the bill in paragraph (a) of Section 5 thereof by changing the period at the end of the last sentence of said paragraph (a) to a comma, and by adding thereafter the language "but such appropriation shall in any event be payable from Trust Capital only to the extent of any accumulated income from the investment of Oil and Gas Rentals which at the time constitutes part of the Trust Capital."

Further amend the bill in paragraph (b) of Section 5 thereof by deleting the language "the aggregate amount of Oil and Gas Rentals and income from the investment thereof" which follows (i) in said paragraph (b) and by substituting therefor "the aggregate amount of income from the investment of Oil and Gas Rentals".

The Adoption of the foregoing suggested Executive Amendment to House Bill No. 74 will remove my objections thereto.

Respectfully submitted,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. Clark (G), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 74, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Dial, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—76

And the bill:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative

source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Daniels, Dial, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, Lewis, McKee, McMillan, Manley, Minus, Moore, Naramore, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—77

Nays: Reps. Mitchell and Wyatt.

—2

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a message from the Governor concerning House Bill No. 79, which is being returned without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,

WILLIAM JAMES SAMFORD, JR.,
Legal Advisor.

Done this 30th day of November, 1981.

To The House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you House Bill No. 79 without my signature and approval and with the suggested Executive Amendment set forth below. The purpose of the Executive Amendment is to correct a technical error relating to the citation to the Code of Alabama 1975 contained in said bill.

Amend House Bill No. 79 by deleting the entirety of Section 1 thereof and inserting in lieu thereof the following new Section 1:

Section 1: § 24-1A-9 of the Code of Alabama 1975 is hereby amended to read as follows: "Notwithstanding any other provision of this chapter to the

contrary, the authority shall not issue any bonds, other than refunding bonds, subsequent to December 31, 1983."

The Adoption of the foregoing Executive Amendment to House Bill No. 79 will remove my objections thereto.

Respectfully submitted,

FOB JAMES,
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. Clark (G), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 79, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Cosby, Crow, Dial, Drinkard, Edwards, Escott, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, McKee, McMillan, Minus, Mitchell, Moore, Naramore, Owens, Parker, Patton, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Trammell, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—77

Nay: Rep. Wyatt.

—1

And the bill:

H. 79. To amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, to extend said date until December 31, 1983.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker, Adams (C), Amari, Barton, Bedsole, Bennett, Blake, Bowling, Brakefield, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cobb, Cosby, Crow, Dial, Drinkard, Edwards, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Horn, Howard, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (M), Starkey, Stewart, Turner, Turnham, Venable, Waggoner, Ward, Warren, Whatley, Williams, Willis and Zoghby.

—78

Nay: Rep. Wyatt.

—1

BILLS ON THIRD READING RESUMED

And the bill:

S. 61. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams (C), Barton, Bedsole, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Dial, Drinkard, Edwards, Escott, Gafford, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (T), Higginbotham, Holley, Holmes, Horn, Jackson, Johnson (R. G.), Kelley, Kennedy, Langford, Letson, McKee, McMillan, Manley, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Riddick, Roberts, Sasser, Seibels, Shoemaker, Smith (C), Smith (J), Starkey, Stewart, Trammell, Turner, Venable, Ward, Warren, Williams, Willis, Wyatt and Zoghby.

—75

And the bill:

S. 25. Relating to the eradication of brucellosis in livestock: To make an appropriation to the Department of Agriculture and Industries for the fiscal year 1981-1982 from the general fund into the agricultural fund; to indemnify owners of livestock for the value of any livestock ordered condemned and destroyed for the prevention of brucellosis in livestock.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker, Barton, Bedsole, Bennett, Blake, Brakefield, Buskey, Cabaniss, Campbell, Carothers, Carter, Cates, Cheatwood, Clark (W), Cobb, Cosby, Crow, Dial, Drinkard, Edwards, Escott, Gilmer, Goodwin, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Higginbotham, Holley, Holmes, Johnson (R. G.), Kelley, Kennedy, Laird, Langford, McMillan, Minus, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Roberts, Sasser, Seibels, Shoemaker, Smith (J), Stewart, Turner, Venable, Ward, Warren, Whatley, Williams, Willis, Wyatt and Zoghby.

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. deGraffenried, St. John, Goodwin, Robertson, Bailey, Barron, Britnell, Callahan, Cook, Denton, Figures, Glass, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Keener, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 43. CONGRATULATING COACH PAUL BRYANT ON HIS 314TH CAREER VICTORY AND ON REACHING THE RECORD HELD BY AMOS ALONZO STAGG.

WHEREAS, now at the top of his profession, with Alabama's 31-16 defeat of Penn State University, Paul W. Bryant stands but one step short of coaching history, his 315th career victory which will break the record once held by Amos Alonzo Stagg and now shared with Coach Bryant; and

WHEREAS, victory number 315, this season, will give Coach Bryant the record in his 37th year as a head coach and in 20 years less time than the record attained by Coach Stagg; and

WHEREAS, while the first 91 of Coach Bryant's victories were compiled at Maryland, Kentucky and Texas A & M, 223 of his teams' wins were during his past 24 seasons as head coach back home again at Alabama where he played for the Crimson Tide in 1933, '34 and '35; and

WHEREAS, as Coach Paul W. Bryant stands tall at the top, he also stands just one victory shy of football history and a record destined to increase in number to unattainable heights; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we both congratulate and commend Alabama's beloved Coach Paul "Bear" Bryant and direct that he receive a copy of this resolution in token of our deep affection and esteem and in appreciation for the honor he brings to the entire State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 43, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. deGraffenried (by request), St. John, Robertson, Keener, Bailey, Barron, Britnell, Callahan, Cook, Denton, Figures, Glass, Goodwin, Gullledge, Hall, Harrison, Higginbotham, Hilliard, Holmes, Kirkland, Lemaster, Little, Martin, McDonald, Miller, Mitchem, Parsons, Pearson, Proctor, Smith, Taylor, Teague, Vacca, Weeks and White:

S. J. R. 47. EXPRESSING ALABAMA'S TREMENDOUS PRIDE IN COACH PAUL WILLIAM BRYANT.

WHEREAS, the Alabama Legislature today recognizes Coach Paul William Bryant as a giant among men, as America's most famous sports figure, and as Alabama's first citizen of all time; and

WHEREAS, the man and the hour met on November 28th when Coach Bryant recorded his 315th career victory to become the winningest college football coach in history, an event witnessed by more than 80,000 Legion Field spectators and by millions watching the nationally televised rival match between the Crimson Tide and the Auburn Tigers; and

WHEREAS, Coach Bryant began his march to the top in 1945 at the University of Maryland, piling-up 91 victories as head coach at Maryland, the University of Kentucky and at Texas A & M before returning to his Alma Mater in 1958 where his record was truly built and made; and

WHEREAS, Paul Bryant's accomplishment as a coach have been duly recorded through the years and his victories, honors and championships are a matter of record, known to the nation and the world; his private and personal pride, however, must most surely come from his success as a maker of men and of champions in all professions and all walks of life; and

WHEREAS, thus, today, the thousands of young athletes who have played for Coach Bryant, and his assistants through the years, now share the glory that is his; they have together accomplished what has never been done before and have given the world a record perhaps never to be broken; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in both humility and in exaltation, we congratulate Coach Paul W. Bryant of the University of Alabama and direct that he receive a copy of this resolution in small token of our gratitude and in recognition of his unique status in the world of sports.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Manley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 47, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Rep. Zoghby:

H. R. 79. VOICING A HOLIDAY HOPE OF PEACE ON EARTH THROUGH HARMONY.

WHEREAS, with the Christmas holidays fast approaching, our thoughts inevitably turn to the prospect of peace and joy for one and all; and

WHEREAS, even as a long journey begins with a first step, so must peace throughout the land begin with a single gesture of good will, freely offered and in promise of lasting change; and

WHEREAS, we also acknowledge that to be truly sincere in a plea for peace on earth, we must first, in good example, put our own House in order; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, ALL MEMBERS THEREOF CONCURRING, That we respectfully

request the entire Jefferson County Delegation to step forward and, in harmony if possible, lift their contrite voices in song with "Let There Be Peace On Earth . . . and let it begin with us."

BE IT FURTHER RESOLVED, That following said performance, a copy of this resolution be presented to each member of the Jefferson County Delegation in token of appreciation for a welcome change in their tune.

MOTION TO SUSPEND RULES AND ADOPT

Rep. Zoghby offered the motion to suspend the rules and adopt the resolution, H. R. 79.

RESOLUTION TEMPORARILY POSTPONED

On motion of Rep. Gafford, consideration of the resolution, H. R. 79, was temporarily postponed in order to take up the bill, S. 33.

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Gafford to suspend the rules in order to take up out of order the bill, S. 33, was lost, lacking a four-fifths vote.

Yeas 10; Nays 7.

Yeas:

Reps. Buskey, Cabaniss, Clark (W), Escott, Horn, Langford, Letson, Moore, Rains and Seibels.

—10

Nays:

Reps. Boles, Cheatwood, Howard, Lewis, Olive, Payne and Trammell.

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. R. 79 AGAIN TAKEN UP

RESOLUTION ADOPTED

The question was then on the motion previously offered by Rep. Zoghby to suspend the rules and adopt the resolution, H. R. 79, and the motion was adopted.

RESOLUTION

The following resolution was introduced:

By Rep. Daniels:

H. R. 80. AMENDING HOUSE RESOLUTION 258 OF THE 1981 REGULAR SESSION.

WHEREAS, during the 1981 Regular Session of the Alabama Legislature, the State Committee of Public Health adopted new regulations affecting onsite sewage disposal systems; and

WHEREAS, these new regulations were causing great confusion among the citizenry of the State of Alabama; and

WHEREAS, the House of Representatives asked the State Committee of Public Health to suspend implementation of these regulations; and

WHEREAS, Representative Gene Daniels personally appeared before the State Committee of Public Health and explained the concerns of the Alabama House of Representatives; and

WHEREAS, the State Committee of Public Health did accede to the wishes of the House of Representatives by suspending the aforesaid regulations; and

WHEREAS, over the past few months, the State Committee of Public Health has cooperated to the fullest in the development of new regulations affecting onsite sewage disposal systems; and

WHEREAS, the revised regulations accomplishes the wishes of the Alabama House of Representatives in this regard; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That House Resolution 258 of the 1981 Regular Session which instructed the Sunset Committee to review the Department of Public Health is hereby amended to delete the State Committee of Public Health and the State Board of Health from the review process. However, the remainder of House Resolution 258 instructing the Sunset Committee to review the Department of Public Health remains in effect.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Chairman of the Sunset Committee and to the Chairman of the State Board of Health.

On motion of Rep. Daniels, the rules were suspended and the resolution, H. R. 80, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cook:

S. J. R. 56. COMMENDING ROCKY RIDGE ELEMENTARY SCHOOL ON ITS DESIGNATION AS A PHYSICAL FITNESS DEMONSTRATION CENTER.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Rep. Waggoner, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 56, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

LEIGH PEGUES,
Chairman.

On motion of Rep. Manley, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 13. To increase from fifty dollars per month to one hundred dollars per month the expense allowance received by certain Jefferson County officials in lieu of being provided an automobile by the County.

Also:

H. J. R. 65. Relative to legislative meeting date on November 30, 1981.

Also:

H. J. R. 70. Relative to sine die adjournment.

Also:

H. J. R. 74. COMMENDING THE RANBURNE HIGH SCHOOL BULLDOGS ON AN OUTSTANDING 1981 FOOTBALL SEASON.

Also:

H. J. R. 75. PROVIDING A COMMON DATE FOR HOLDING ELECTIONS ON CERTAIN PROPOSED CONSTITUTIONAL AMENDMENTS; PROVIDING FOR CERTAIN EXCEPTIONS; AND REPEALING ACT NO. 81-673, H. J. R. 377 OF THE 1981 REGULAR SESSION.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 79. To amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, to extend said date until December 31, 1983.

by a majority of the whole number elected to the Senate, said vote being Yeas 24, Nays 0.

And said Bill, H. B. 79, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 79, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

by a majority of the whole number elected to the Senate, said vote being Yeas 21, Nays 0.

And said Bill, H. B. 74, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 24, Nays 0.

And said Bill, H. B. 74, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 79. To amend Section 24-1A-9 of the Code of Alabama 1975, which provides that the Alabama Housing Authority shall not issue any bonds, other than refunding bonds, subsequent to March 31, 1982, to extend said date until December 31, 1983.

And finds same correctly enrolled with Executive Amendment.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 74. To make legislative findings respecting the need to make alternative appropriations to the previous appropriation made in Act No. 81-764 enacted at the 1981 Regular Session of the Legislature to the use of the Board of Corrections for capital expenditures and the previous appropriation made in Act No. 81-770 enacted at the 1981 Regular Session of the Legislature to the use of the Department of Mental Health for capital expenditures in the event that the moneys from which such appropriations were made are subsequently transferred into The Alabama Heritage Trust Fund as a result of the adoption of a proposed amendment to the Constitution of Alabama of 1901 creating said Trust Fund; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-764 and to terminate such appropriation from said Trust Fund under certain circumstances; to appropriate moneys from said Trust Fund in order to provide an alternative source of moneys for the appropriation made in said Act No. 81-770 and to terminate such appropriation from said Trust Fund under certain circumstances; to provide that such appropriations from said Trust Fund shall not be subject to proration; and to provide that the provisions of this Act shall be severable.

And finds same correctly enrolled with Executive Amendment.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Acting Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 20. To amend Section 12-17-61, Code of Alabama 1975, relating to the number of district court judges in the State of Alabama so as to provide two district court judges for Lee County and to provide for the time of establishment of such judgeship No. 2 and for the appointment of and election of such additional district judge.

Also:

S. 48. To authorize the Tallapoosa County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 38. Relating to Coffee County; providing for a referendum election or elections to submit to the qualified electors of Coffee County the question whether the Coffee County Commission shall be authorized to levy and impose a county sales tax and a county use tax; providing for the authority of the Coffee County Commission to levy such taxes generally paralleling the state sales taxes provided for in Division 1 of Article 1 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, and the state use taxes provided for in Article 2 of Chapter 23 of Title 40 of the Code of Alabama 1975, as amended, respectively; providing certain additional exemptions from such taxes; specifying the rates at which those taxes may be levied; providing for the ascertainment, collection, payment, distribution and use of the proceeds

of those taxes if levied by the Coffee County Commission, and for the enforcement of this Act by the State Department of Revenue; providing for the termination of the taxes authorized to be levied hereunder; and prescribing penalties and fixing punishment for violations of this Act.

And finds same correctly enrolled.

JACK BIDDLE, III,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Acting Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 25. Relating to the eradication of brucellosis in livestock: To make an appropriation to the Department of Agriculture and Industries for the fiscal year 1981-1982 from the general fund into the agricultural fund; to indemnify owners of livestock for the value of any livestock ordered condemned and destroyed for the prevention of brucellosis in livestock.

Also:

S. 61. To provide for executing "self proving" wills by the testator and affidavits of witnesses each before an officer authorized to administer oaths, and to provide the forms for the same.

Also:

S. J. R. 43. CONGRATULATING COACH PAUL BRYANT ON HIS 314TH CAREER VICTORY AND ON REACHING THE RECORD HELD BY AMOS ALONZO STAGG.

Also:

S. J. R. 47. EXPRESSING ALABAMA'S TREMENDOUS PRIDE IN COACH PAUL WILLIAM BRYANT.

Also:

S. J. R. 56. COMMENDING ROCKY RIDGE ELEMENTARY SCHOOL ON ITS DESIGNATION AS A PHYSICAL FITNESS DEMONSTRATION CENTER.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:05 P.M. on November 30, 1981

H. 71

H. 74

H. 76

H. 78

H. 73

H. 43

H. 67

H. J. R. 2

H. J. R. 3

H. J. R. 56

Delivered to the Secretary of State at 2:10 P.M. on November 30, 1981

H. 72 (Constitutional Amendment)

H. 75 (Constitutional Amendment)

Delivered to the Governor at 3:40 P.M. on November 30, 1981

H. 24

H. 13

H. J. R. 65

H. J. R. 70

H. J. R. 74

H. J. R. 75

Delivered to the Governor at 4:55 P.M. on November 30, 1981

H. 74 (Executive Amendment)

H. 79 (Executive Amendment)

Delivered to the Governor at 4:57 P.M. on November 30, 1981

H. 38

JOHN W. PEMBERTON,
Clerk.

HOUSE OF REPRESENTATIVES

LOBBYIST REGISTRATION

THIRD SPECIAL SESSION 1981

NAME	PRINCIPAL
Dawn H. Akers	Electronic Data Systems
Doug Amos	Alabama League of Savings Assoc.
Richard H. Arrington	Southern Railway Company
Elizabeth Barker	Alabama State Nurses Association
Herman Charles Biede	Texco, Incorporated
Robert C. Boone	Gulf Oil Corporation
James B. Brand, Jr.	Associated Industries of Alabama
Joe Brindley	University of Montevallo
David C. Brown	University of North Alabama
C. H. Bryars	Alabama Wildlife Federation
James C. Cameron	Waste Management, Inc.
Phil R. Cates	Tenneco, Inc.
Al Chamlee	Ciba-Geigy
Roy A. Chandler	Electronic Data Systems
Martin William Christic	Jim Walter Corporation U.S. Pipe & Foundry
William J. Cobb	South Central Bell
R. J. Cunningham	Alabama Association of Life Underwriters Alabama Hotel/Motel Association Alabama Travel Council Professional Insurance Agents Association of Alabama Alabama Crushed Stone Association Alabama Surface Mining Environmental Association Telepage Alabama Automatic Merchandising Council
James Rudolph Davidson	University of Alabama/Birmingham
Kendall P. Dexter	MacMillan Bloedel, Inc.
Jack F. Douglas	Alabama Citizens Action Program
Michael E. Eader	Alabama Association of School Boards
John Frank Filgo	United States Brewers Association

William J. Fulford, III	University of South Alabama
Donald J. Gibson	Troy State University
Don J. Gilbert	Alabama Independent Bankers Alabama Trial Lawyers Association
Michael G. Graffed	City of Birmingham
James A. Gray	Alabama Road Builders Association
William L. Green	Alabama By-Products Corporation
A. Jack Guillebeaux	Federation of Child Care Centers
D. N. Hamilton	Alabama League of Municipalities Am Rec Ins. Association Jim Walter Corporation South Alabama State Fair Assoc.
Patrick Harris	Alabama United Judicial System
Charles R. Hartsell	Blue Cross/Blue Shield of Alabama
Robert T. Hydrick	The Mead Corporation
John B. Johnson	Alabama Petroleum Council
J. Reese Johnston, Jr.	Jefferson County
James V. Jordan, III	Southern Natural Gas
Edwin K. Livingston	Alabama Tax Assessors & Collectors
Steven Gregory McGarr	Building Material Merchants Assoc.
Tom McGregor	Alabama Gas Corporation
H. A. Mawhinney, Jr.	Alabama Wholesale Beer & Wine Association
Gilbert Mobley	Associated Industries of Alabama
Lloyd Nix	Communication Workers of America
Bill O'Connor	Alabama Press Association
William G. O'Rear	Med Continent Oil & Gas Assoc.
Milton K. Parsons	Alabama Farm Bureau Federation
Jerry A. Powell, Jr.	Alabama Nursing Home Association
Thomas Marshall Powell	University of South Alabama Medical Center
Nancy Rawls	Alabama Consumers Alliance
E. Clark Richardson	Alabama Power Company
W. Eric Rodawig	Household Finance Corporation
Charlie Rowe	Jacksonville State University
R. Otis Russell	Alabama Concrete Industries Assoc.

O. H. Sharpless	Association of County Commissioners of Alabama
Reginald Lee Sorrells	Association of County Commissioners of Alabama
Jerry. W. Spencer	Modern Banking Association of Alabama
Lavoisier Jerome Stallworth	Self
Frank Thiemonge, Jr.	Alabama Safety Council, Inc.
Marvin F. Tye	Alabama Wildlife Federation
Kenneth Underwood	South Central Bell
Howard R. Vaughan	Liberty National Life Ins. Co.
Don F. Wasson	Alabama Mining Institute
John F. Watkins	Alabama League of Municipalities
Felix M. Welch	State Department of Agriculture & Industries
Darryl E. Wiley	Self
Robert T. Wilson	Blue Cross

ADJOURNMENT

On motion of Rep. Manley, and pursuant to the resolution, H. J. R. 70, heretofore adopted, the House adjourned sine die at 4:45 o'clock p.m.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Amari, Barton, Bedsole, Bennett, Blake, Boles, Brakefield, Buskey, Cabaniss, Carothers, Carter, Cates, Cheatwood, Clark (G), Clark (W), Cosby, Crow, Daniels, Edwards, Escott, Gafford, Gilmer, Grimsley, Grouby, Hall, Hammett, Harper (O), Harper (T), Holley, Holmes, Horn, Kelley, Kennedy, Laird, Langford, Letson, McMillan, Manley, Mitchell, Moore, Naramore, Olive, Owens, Parker, Patton, Payne, Pegues, Penry, Rains, Ray, Reed, Roberts, Sasser, Seibels, Smith (M), Stewart, Trammell, Turner, Venable, Waggoner, Warren, Williams, Willis, Wyatt and Zoghby.

—67

JOHN W. PEMBERTON
Clerk of the House of Representatives
of the Legislature of Alabama,
Third Extraordinary Session, 1981.

HOUSE OF REPRESENTATIVES
THIRD EXTRAORDINARY SESSION, 1981
ALPHABETICAL ROSTER AND DISTRICT NUMBER

Charles H. Adams, 66	Roy W. Johnson, Jr., 47
H. H. "Bill" Adams, 30	Phillip "Phil" B. Kelley, 26
Robert E. Albright, 20	Yvonne Kennedy, 103
John E. Amari, 34	Richard Laird, 61
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Jim Bennett, 37	M. Duane Lewis, 50
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Hugh Boles, 42	Stephen A. McMillan, 95
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James M. Campbell, 59	Alvis Naramore, 13
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Earl Cheatwood, 14	V. M. Parker, 97
George N. Clark, 88	Robert Elliott "Bob" Patton, 8
William Clark, 98	Arthur Payne, 15
Wayne Cobb, 5	Leigh Pegues, 86
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Steve Cooley, 10	T. Euclid Rains, Sr., 25
W. F. "Noopie" Cosby, Jr., 85	James E. Ray, 68
Bobby C. Crow, 58	Thomas Reed, 67
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Gerald O. Dial, 60	Tommy Ed Roberts, 9
Larry D. Dixon, 81	J. Thomas Sandusky, 100
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William D. Edwards, 83	George Seibels, 32
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John E. Higginbotham, 1	Shelby Dean Ward, 64
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Jimmy W. Holley, 74	Charles W. Whatley, 65
Alvin Holmes, 80	R. Nolan Williams, 72
William Fred Horn, 39	Gerald Willis, 57
Asbury Howard, 49	Cecil Wyatt, 78
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Ronald G. Johnson, 54	

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA**

THIRD EXTRAORDINARY SESSION

OFFICERS

JOE C. McCORQUODALE, JR., *Speaker*, Jackson

RICHARD S. (RICK) MANLEY
Speaker Pro-Tem, Demopolis

JOHN W. PEMBERTON, *Clerk*, Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE	John E. Higginbotham	Rt. 11, Box 158, Florence 35630
2	LAUDERDALE	Nelson R. Starkey, Jr.	158 Cedarcrest Drive, Florence 35630
3	LAUDERDALE, COLBERT, FRANKLIN	Tom Coburn	1107 E. Third St., Tuscumbia 35674
4	COLBERT, FRANKLIN	J. W. (Joe) Goodwin	310 Ford Road, Muscle Shoals 35660
5	FRANKLIN, MARION	Wayne Cobb	Rt. 4, Hamilton 35570
6	LAMAR, MARION, FAYETTE	Charles T. Gilmer	P. O. Box 665, Vernon 35592
7	LAWRENCE, MORGAN	S. R. (Sam) Letson	P. O. Box 256-B, Moulton 35650
8	MORGAN	Robert E. (Bob) Patton	P. O. Box 786, Decatur 35601
9	MORGAN	Tommy Ed Roberts	Brookwood Street, P. O. Box 1298, Hartselle 35640
10	MORGAN, CULLMAN	Steve Cooley	P. O. Box 1186, Cullman 35055
11	CULLMAN, WINSTON	W. C. (Bill) Bowling	Rt. 2, Hanceville 35077
12	WINSTON, WALKER	Carl C. Brakefield	P. O. Box G, Carbon Hill 35549
13	WALKER	Alvis Naramore	5th Avenue, 19th Street, Jasper 35501

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

- 14 JEFFERSON, BLOUNT
Earl Cheatwood Rt. 1, Box 932, Warrior 35180
- 15 JEFFERSON
Arthur Payne 2825 2nd. St., N. W. Birmingham 35215
- 16 LIMESTONE
Tommy Carter Rt. 2, Box 72, Elkmont 35620
- 17 LIMESTONE, MADISON
James P. (Jim) Smith 108 South Side Square
Huntsville 35801
- 18 MADISON
Frank H. Riddick 7804 Lauderdale Rd., S. W.,
Huntsville 35802
- 19 MADISON
Richard Gregg 4007 Nelson Dr., Huntsville 35810
- 20 MADISON
Robert E. Albright 2024 Stanhope Dr., N. E.,
Huntsville 35811
- 21 MADISON
Martha Jo Smith 1700 Big Cove Rd., S. E.,
Huntsville 35801
- 22 MADISON, JACKSON
Albert Hall P. O. Box 275, Gurley 35748
- 23 JACKSON
Cecil Shavers Jackson County Court House,
Scottsboro 35768
- 24 JACKSON, DeKALB
J. David Stout P. O. Box 1106, Fort Payne 35967
- 25 DeKALB, MARSHALL
T. Euclid Rains, Sr. Rt. 1, Box 326, Albertville 35950
- 26 MARSHALL
Phillip B. (Phil) Kelley Rt. 2, Box 486,
Guntersville 35976
- 27 BLOUNT, ETOWAH, MARSHALL
Bob Harvey Rt. 4, Box 342, Oneonta 35121
- 28 ETOWAH
Joe Ford 117 Arcade St. E., Gadsden 35903
- 29 ETOWAH
Bill Drinkard P. O. Box 372, Gadsden 35902
- 30 ETOWAH, CHEROKEE
H. H. (Bill) Adams Rt. 3, Box 257, Piedmont 36272
- 31 JEFFERSON
W. J. (Bill) Cabaniss P. O. Box 57032,
Birmingham 35209

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 32 JEFFERSON
George Seibels 4016 10th Ave., So., Birmingham 35222
- 33 JEFFERSON
Robert C. (Bob) Gafford 5345 Division Ave.,
Birmingham 35212
- 34 JEFFERSON
John E. Amari 9636 Parkway E., Birmingham 35215
- 35 JEFFERSON
Jack Biddle, III 2256 Pinehurst Dr., Gardendale 35071
- 36 JEFFERSON
Hoyt W. Trammell Rt. 15, Box 247, Birmingham 35224
- 37 JEFFERSON
Jim Bennett Marshall, Bennett & Company
Suite 616, Woodward Bldg.,
1927 1st Ave. N., Birmingham 35203
- 38 JEFFERSON
Ronald E. Jackson 1324 Elmwood St.,
Birmingham 35211
- 39 JEFFERSON
William Fred Horn 333 16th Ave. S. W.,
Birmingham 35211
- 40 JEFFERSON
J. Fred Olive, II 1612 27th St. W., Birmingham 35218
- 41 JEFFERSON
C. Howard Nevett 5028 Parkway Ave., Fairfield 35064
- 42 JEFFERSON
Hugh Boles 1036 Normandale Circle, Hueytown 35020
- 43 JEFFERSON
Jerome Tucker Suite 1722, 2121 Building, 8th Ave. N.,
Birmingham 35203
- 44 JEFFERSON
A. L. (Tony) Harrison 1630 4th Ave., No.,
Birmingham 35203
- 45 JEFFERSON
Sundra E. Escott P. O. Box 8172, Birmingham 35218
- 46 TUSCALOOSA
Park Barton P. O. Box 338, Tuscaloosa 35401
- 47 TUSCALOOSA
Roy W. Johnson, Jr. Route 4, Box 140,
Tuscaloosa 35405
- 48 TUSCALOOSA, BIBB
Walter Owens 107 Court Sq. West, Centreville 35042

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 49 TUSCALOOSA, JEFFERSON
Asbury Howard 1930 Exeter Ave., Bessemer 35020
- 50 JEFFERSON
M. Duane Lewis 1129 4th Ave. N., Bessemer 35020
- 51 JEFFERSON, SHELBY
J. T. (Jabo) Waggoner, Jr. 1829 Mission Rd.,
Birmingham 35216
- 52 JEFFERSON, SHELBY, TALLADEGA
Sonny Moore P. O. Box 44, Sterrett 35147
- 53 CHILTON, SHELBY
Curtis Smith Rt. 3, Box 118, Clanton 35045
- 54 COOSA, TALLADEGA
Ronald G. Johnson Route 5, Box 17,
Sylacauga 35150
- 55 TALLADEGA
Wallace Shoemaker 15 Cliff Rd., Childersburg 35044
- 56 ST. CLAIR, CALHOUN
A. J. Blake Rt. 1, Box 206A, Pell City 35125
- 57 CALHOUN
Gerald Willis Rt. 2, Box 286, Piedmont 36272
- 58 CALHOUN
Bobby C. Crow Rt. 10, Box 842, Anniston 36201
- 59 CALHOUN
James M. Campbell P. O. Box 2003, Anniston 36202
- 60 CLAY, CLEBURNE, TALLADEGA
Gerald O. Dial Box 248, Lineville 36266
- 61 RANDOLPH, CHAMBERS
Richard Laird Bonner Dr., Roanoke 36274
- 62 TALLAPOOSA, CHAMBERS
Owen Harper 502 Lilly Ave., E. Tallassee 36023
- 63 TALLAPOOSA, LEE, CHAMBERS
Pete Turnham P. O. Box 1592, Auburn 36830
- 64 CHAMBERS, LEE
Shelby Dean Ward P. O. Box 689, Opelika 36801
- 65 LEE, RUSSELL, BARBOUR
Charles W. Whatley Rt. 5, Box 296, Opelika 36801
- 66 RUSSELL
Charles Adams P. O. Box 967, Phenix City 36867
- 67 MACON, BULLOCK
Thomas Reed Drawer EE, Tuskegee Institute,
Tuskegee 36088

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

- 68 PIKE, COFFEE, BULLOCK, BARBOUR
James E. Ray 104 Woodland Circle, Troy 36081
- 69 DALE, BARBOUR, HENRY
James G. Sasser 1208 Skipperville Rd., Ozark 36360
- 70 HOUSTON, HENRY, BARBOUR
George H. Grimsley Rt. 1, Columbia 36319
- 71 HOUSTON
Joe Carothers, Jr. Rt. 8, Box 33, Dothan 36301
- 72 DALE
R. Nolan Williams Rt. 2, Newton 36352
- 73 GENEVA, COVINGTON, HOUSTON
Gene Daniels Rt. 2, Box 207, Samson 36477
- 74 COVINGTON, COFFEE
Jimmy W. Holley Rt. 3, Box 191 E. Elba 36323
- 75 COVINGTON
Seth Hammett P. O. Box 1418, Andalusia 36420
- 76 ELMORE
Jack B. Venable P. O. Box 736, Tallassee 36078
- 77 MONTGOMERY
Charles D. Langford 352 Dexter Ave.,
Montgomery 36104
- 78 MONTGOMERY, CRENSHAW
Cecil Wyatt P. O. Box 1, Ramer 36069
- 79 MONTGOMERY
Bob McKee P. O. Box 424, Montgomery 36102
- 80 MONTGOMERY
Alvin Holmes P. O. Box 6064, Montgomery 36106
- 81 MONTGOMERY
Larry Dixon State Board Medical Examiners
P. O. Box 946, Montgomery 36102
- 82 AUTAUGA, ELMORE, LOWNDES, MONTGOMERY
E. A. Grouby, Jr. P. O. Box 188, Prattville 36067
- 83 WILCOX, LOWNDES, DALLAS
William D. Edwards Rt. 1, Box 180A, Fort Deposit 36032
- 84 BUTLER, CRENSHAW
Eric O. Cates, Jr. Rt. 2, Box 320, Greenville 36037
- 85 DALLAS, AUTAUGA
William F. (Noopie) Cosby, Jr. 201 Ruth St.,
Selma 36701
- 86 DALLAS, PERRY, MARENGO
Leigh Pegues 204 East Early St., Marion 36756

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

- 87 MARENGO, SUMTER, HALE, GREENE
Richard S. (Rick) Manley P. O. Drawer U,
Demopolis 36732
- 88 GREENE, PICKENS, TUSCALOOSA, HALE
George Clark Box 6, Eutaw 35462
- 89 TUSCALOOSA, PICKENS
Earl Mitchell P. O. Box 426, Northport 35476
- 90 SUMTER, CHOCTAW
Preston (Mann) Minus, Jr. P. O. Box 969,
Livingston 35470
- 91 ESCAMBIA
L. Brooks Hines P. O. Box 345, Brewton 36427
- 92 CLARKE, MONROE
Joe C. McCorquodale, Jr. P. O. Box 928,
111 W. Church St., Jackson 36545
- 93 MONROE, CONECUH, ESCAMBIA
J. E. (Jimmy) Warren P. O. Box 207,
Castleberry 36432
- 94 BALDWIN
Walter E. Penry, Jr. Rt. 2, Box 286, Daphne 36526
- 95 BALDWIN, MOBILE
Stephen A. McMillan P. O. Box 337, Bay Minette 36507
- 96 WASHINGTON, MOBILE
J. E. Turner P. O. Box 777, Citronelle 36522
- 97 MOBILE
V. M. Parker 504 Woodlore Dr., Chickasaw 36611
- 98 MOBILE
William Clark P. O. Box 10434, Prichard 36610
- 99 MOBILE
James E. Buskey 2207 Barretts Lane, Mobile 36617
- 100 MOBILE
J. Thomas (Tommy) Sandusky P. O. Box 9338,
Mobile 36691
- 101 MOBILE
Ann Bedsole 25 Edgefield Rd., Mobile 36608
- 102 MOBILE
Mary S. Zoghby 2862 Hilburn Dr., Mobile 36606
- 103 MOBILE
Yvonne Kennedy 1205 Glennon Ave., Mobile 36603
- 104 MOBILE
George Stewart 4413 S. Shan Dr., Mobile 36609
- 105 MOBILE
Taylor F. Harper P. O. Box 208, Grand Bay 36541
- nv

**ROSTER OF THE
SENATE OF ALABAMA
THIRD EXTRAORDINARY SESSION, 1981**

George D. H. McMillan, Jr., *Lieutenant Governor*
State Capitol, Montgomery

Finis St. John, *President Pro-Tem*
Cullman

McDowell Lee, *Secretary*
Montgomery

Mrs. William R. Lawley, Jr., *Chief Clerk*
Montgomery

DISTRICT NO. 1

Bobby Denton 1st Colbert Nat'l Bank, P.O. Drawer B,
Sheffield 35660

DISTRICT NO. 2

Charlie Britnell Northwest Alabama State
Junior College, Phil Campbell 35851

DISTRICT NO. 3

Charles B. Martin P. O. Box 2204, Decatur 35602

DISTRICT NO. 4

Finis St. John P. O. Drawer K, Cullman 35055

DISTRICT NO. 5

Robert (Bob) Hall 2601 Carson Road,
Birmingham 35215

DISTRICT NO. 6

Albert McDonald Route 1, Madison 35758

DISTRICT NO. 7

Bill Smith 2009 Gallatin St. S.W.,
Huntsville 35801

DISTRICT NO. 8

James Lemaster Route 2, Box 228, Scottsboro 35768

DISTRICT NO. 9

Hinton Mitchem P. O. Box 297, Albertville 35950

DISTRICT NO. 10

Larry H. Keener 816 Chestnut St., Gadsden 35901

DISTRICT NO. 11

Dewey White P. O. Box 7685A, Birmingham 35223

DISTRICT NO. 12

Paschal P. "Pat" Vacca 1617 Mountain Dr.,
Tarrant 35217

DISTRICT NO. 13

J. Richmond Pearson Citizens Federal Building,
P. O. Box 11135, Birmingham 35202

ROSTER OF THE SENATE OF ALABAMA—Continued**DISTRICT NO. 14**

Mac Parsons 603 City Federal Building,
Birmingham 35203

DISTRICT NO. 15

Earl F. Hilliard P.O. Box 11385, Birmingham 35203

DISTRICT NO. 16

Ryan deGraffenried, Jr. P. O. Box 2427
Tuscaloosa 35401

DISTRICT NO. 17

Doug Cook P. O. Box 6223-A, Tarrant 35217

DISTRICT NO. 18

Lister Hill Proctor 121 North Norton Ave.,
Sylacauga 35150

DISTRICT NO. 19

John A. Teague P. O. Box 427, Childersburg 35044

DISTRICT NO. 20

Donald G. Holmes 1915 Robinhood Dr.,
Oxford 36203

DISTRICT NO. 21

T. D. "Ted" Little P. O. Box 342, Auburn 36830

DISTRICT NO. 22

G. J. "Dutch" Higginbotham Troy State University
P.O. Box 2545, Troy 36081

DISTRICT NO. 23

Mike Weeks P. O. Box 322, Troy 36081

DISTRICT NO. 24

Chip Bailey P. O. Box 6791, Dothan 36302

DISTRICT NO. 25

Wallace Miller 100½ No. Main, Enterprise 36330

DISTRICT NO. 26

Don Harrison 516 S. Perry St., Montgomery 36104

DISTRICT NO. 27

Bishop N. Barron P. O. Box 221
Montgomery 36101

DISTRICT NO. 28

Cordy Taylor P. O. Box 596, Prattville 36067

DISTRICT NO. 29

Earl Goodwin Rt. 7, Box 488, Selma 36701

DISTRICT NO. 30

Edward D. "Big Ed" Robertson P. O. Box 331
Northport 35476

DISTRICT NO. 31

Reo Kirkland, Jr. P. O. Box 646, 102 St. Joseph,
Brewton 36426

ROSTER OF THE SENATE OF ALABAMA—Continued**DISTRICT NO. 32**

Robert I. "Bob" Gullledge P. O. Drawer 3376,
Robertsdale 36567

DISTRICT NO. 33

Michael A. Figures 1407 Davis Avenue, Mobile 36603

DISTRICT NO. 34

H. L. "Sonny" Callahan P. O. Box 1208, Mobile 36601

DISTRICT NO. 35

Bob Glass 733 Lakeshore Dr. W., Mobile 36609

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